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INTRODUCTION BY SENATOR CHARLES H. PERCY, CHAIRMAN, COMMITTEE ON FOREIGN RELATIONS

This summary of activities of the Committee on Foreign Relations during the 97th Congress is presented in fulfillment of the requirements of Rule XXVI 8(b) of the Standing Rules of the Senate, which provides that each standing committee report to the Senate, not later than March 31 of each odd-numbered year, on its legislative review activities during the preceding Congress.

The 97th Congress was a time of considerable activity for the Foreign Relations Committee and its seven subcommittees. During 1981–82 the full committee held 372 meetings and there were 63 subcommittee meetings. In addition three 2-day workshops were held with the Congressional Research Service of the Library of Congress.

Developments in the Middle East, as well as other areas of the world, continued to be of major concern to the committee. Administration officials consulted with the committee throughout this Congress on such matters as the situations in Lebanon, Poland and El Salvador, the Israeli strike on the Baghdad reactor, the status of arms control and Law of the Sea negotiations, economic summits and U.S. relations with China and Taiwan. (See Miscellaneous Studies for a complete listing of the subjects discussed.)

Statistics appended to this introduction give the legislative workload of the committee and the Senate with respect to foreign affairs matters. The committee's major piece of legislation, the foreign assistance authorization, was acted on after extensive hearings. Other major legislation approved included authorizations for the following: the Department of State, the International Communication Agency (now the U.S. Information Agency), the Board for International Broadcasting, the Arms Control and Disarmament Agency, Radio Broadcasting to Cuba (Radio Marti), the Peace Corps, the Overseas Private Investment Corporation and international financial institutions. In addition, legislation enacted into law covered a wide range of subjects: Czechoslovakian claims, multinational force and observers to implement the peace treaty between Egypt and Israel, Presidential certifications on conditions in El Salvador, the rights of Soviet citizens to emigrate and the transfer and sale of defense articles.

In response to growing public awareness of the dangers of nuclear weapons, the committee convened 10 hearings on nuclear arms reduction during the second session. An original resolution was reported which put the committee on record in support of the President's strategic arms negotiating position. At the same time, the resolution would ensure that the central elements of the SALT I and SALT II treaties would be observed by the United States so long as the Soviet Union observed them.

The committee also devoted substantial energy to reviewing treaties. As indicated in the table preceding the treaty section of this report,

the committee acted on a total of 52 treaties. They included an additional protocol to the treaty prohibiting nuclear weapons in Latin America, the Canadian boundary treaty, a consular convention with China, the conservation of Antarctic marine living resources, several maritime treaties and numerous tax and bilateral extradition conventions.

With the change in the White House the committee was responsible for holding confirmation hearings on the President's new foreign policy team. The committee recommended to the Senate the confirmation of 282 executive branch officials. In addition, 2,872 Foreign Service promotions were approved by the committee and the Senate.

Another important responsibility of the committee is to receive officials from abroad and to discuss with them matters of mutual interest. During the 97th Congress the committee met on 51 occasions with distinguished foreign visitors—including heads of state, foreign ministers and other senior officials and members of international delegations from 38 countries.

The work of the Foreign Relations Committee was expedited by a bipartisan spirit among its members. In this respect, I would like to express my deep appreciation to all of the committee members for their cooperation—and especially to Senator Claiborne Pell, the Ranking Minority Member.

On behalf of the committee, I would like to acknowledge the contribution made by the committee staff during the past 2 years. I also extend the committee's thanks to the staff of the Foreign Affairs and National Defense Division of the Congressional Research Service, Library of Congress, who participated in the preparation of this legislative summary, as well as other projects for the committee.

Foreign affairs legislation in the Senate

	97th Congress
Bills and joint resolutions:	
Referred to committee	89
Original bills/joint resolutions by committee	9
Held at desk or placed on Senate calendar	5
Total	103
Reported by committee	33
Became public law	20
Executive, concurrent and Senate resolutions:	
Referred to committee	108
Original resolutions by the committee	14
Held at desk or placed on Senate calendar	6
Total	128
Reported by the committee	42
Agreed to by Senate	38
Agreed to without referral to committee	24
Rejected by Senate	1

A. TREATIES

Treaties pending before the Senate at the beginning of the 97th Congress	58
Treaties submitted during the 97th Congress	28
Total pending during the 97th Congress	86
Approved by the Senate	40
Returned to the President	6
Reported favorably by the committee but not approved by the Senate	6
Still pending in committee at the end of the 97th Congress	34

1969 Convention on Tonnage Measurements of Ships (Ex. N, 92–2)

The International Convention on Tonnage Measurements of Ships, signed for the United States at London on June 23, 1969, was submitted to the Senate on June 15, 1972, and referred to the Foreign Relations Committee. The purpose of the Convention, which entered into force July 18, 1982, is to establish uniform principles and rules with respect to the determination of the tonnage of vessels engaged in international voyages. Different systems of tonnage measurements, used in connection with administration of national and international laws, statistics, drydocking charge schedules, and as bases for the assessment of canal tolls and other charges, have caused duplication in the work of measuring vessels, complicated the movement of ships in and out of ports, and have created economic inequities among ships of different nationalities. The 1969 Convention was the product of 10 years' work by the Intergovernmental Maritime Consultative Organization (IMCO).

The committee held hearings on March 30, 1973, during which serious objections were raised by the offshore merchant marine industry and the States of Rhode Island and Massachusetts. The U.S. representatives in IMCO therefore worked to negotiate a solution to the problem, and the Twelfth Assembly of IMCO in September 1981, approved an interim scheme under which the offshore industries would be allowed to continue to build equipment to the same safety standards as presently authorized by domestic law and regulations. Subsequently, all opposition was withdrawn. The committee considered the Convention on August 10, 1982, and ordered it reported favorably, with an understanding (Ex. Rept. 97–57, August 13, 1982). The understanding, recommended by the State Department in 1972, states that in the assessment of tolls for transit of the Panama Canal, the United States will continue to be free to apply the present Panama Canal tonnage system or to adopt any other basis, including tonnages derived from volumes.

The Senate considered the Convention on September 30, 1982, and approved the resolution of ratification by a 97–0 vote. Entered into force for the United States on February 10, 1983.

Treaty With Colombia on Status of Quita Sueno, Roncador, and Serrana (Ex. A, 93–1)

The treaty with Colombia on the status of the three reefs, Quita Sueno, Roncador, and Serrana was signed by the United States and Colombia on September 8, 1972. Colombia ratified the treaty in 1973. In January 1973, the treaty was sent to the Senate and referred to the Committee on Foreign Relations. The primary objective of the treaty was to renounce all U.S. claims to sovereignty (made in 1869 under the Guano Islands Act) over the three small reefs. Another objective was to guarantee U.S. fishing rights throughout the reefs' adjacent waters. Colombia had protested the U.S. claim to sovereignty in 1890 and procedures for resolving the conflicting claims were first initiated in 1928, but formal negotiations did not begin until 1972. The resolution of ratification emphasized that the treaty did not prejudice the claims of third states, a reference to the long-standing claim of Nicaragua to the islets.

Article 1 renounces the U.S. claim of sovereignty over the three reefs. Protection of the fishing rights of U.S. citizens and vessels are guaranteed by articles 2 through 5. Article 6 insures that the navigational aids established on the reefs would be maintained by the Colombian Government.

One month after the treaty was submitted to the committee, Nicaragua protested the recognition of Colombian sovereignty over the reefs. Nicaragua's claim of sovereignty rested on the 1958 Continental Shelf Convention. Nicaragua argued that since the reefs were part of its continental shelf, the terms of the 1958 convention established Nicaraguan jurisdiction over the reefs. Nicaragua also cited colonial precedents for its claim in subsequent discussions.

The committee considered the treaty several times after receiving it in January 1973. In November 1973 the committee noted that the reefs were also the subject of claims by Nicaragua, and decided that the International Court of Justice (World Court) was the appropriate forum to settle the problem. In a letter to Secretary of State Rogers, Senator Fulbright so indicated. Senate Resolution 74, which called for the submission of territorial disputes involving the United States to the World Court for adjudication, included the three reefs and passed the Senate on May 20, 1974.

The State Department nevertheless again requested committee approval of the treaty in July 1975. A hearing was held September 16, 1975, and questions were raised concerning Nicaragua's claims to the reefs. In executive session October 28, 1975, the committee decided to take no further action on the treaty.

In September 1977, the President of Colombia raised the question of the treaty with President Carter, who sent a letter to the committee on June 14, 1978, urging prompt consideration. In his June 22, 1978 response, Chairman Sparkman indicated that the committee and the Senate believed that the treaty would not solve the jurisdictional conflict, which was a trilateral one, and that the World Court should play an integral part in the conflict's resolution. He suggested attaching language to the resolution of ratification "to reflect the understanding that both the United States and Colombia recognize that the World Court has an integral and necessary part to play in resolving

territorial disputes of this nature, and that nothing in the treaty is deemed to prejudice the claims of any other nation involved in the controversy."

On December 4, 1979, the committee held another hearing and voted 13–0 to report the treaty, subject to receipt of an explanatory letter, requested by Senator Javits, from the State Department. The letter, to confirm the legal effect of the proposed understanding and its acceptance by the Government of Colombia, was not received until December 4, 1980. On July 14, 1981, the committee voted 16–0 to report the treaty favorably with the understanding incorporated into the resolution of ratification (Ex. Rept. 97–16). The Senate voted unanimously on July 31 to approve the resolution of ratification. On September 17, 1981, the treaty entered into force.

Tax Convention and Protocol With Israel
(Ex. C, 94–2; Ex. M, 96–2)

The tax treaty with the State of Israel was signed November 20, 1975, and transmitted to the Senate February 16, 1976. The protocol to the treaty was signed May 30, 1980, and transmitted to the Senate July 3, 1980, but was not referred to the committee until December 16. The treaty and protocol replaced a previously negotiated proposed treaty with Israel (Ex. F, 89–1) which was returned to the President on December 1, 1981.

The purpose of the treaty is to reduce or eliminate potential double taxation of income earned by citizens and residents of either country from sources within the other country and to prevent avoidance or evasion of the income taxes of the two countries. The treaty is largely similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the Organization for Economic Cooperation and Development model income tax treaty. In certain respects it differs from those models to reflect Israel's status as a developing country and to reflect the U.N. model for tax treaties between developed and developing countries.

The committee held a public hearing on the treaty and on other tax treaties September 24, 1981. On October 27, 1981, the committee considered the treaty and ordered it favorably reported with an understanding by a 14–0 vote.

In its report (Ex. Rept. 97–29, November 10, 1981), the committee addressed a number of areas of concern. First, the committee recommended adding to the resolution of ratification an understanding to make clear that the treaty authorizes the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, to have access to all information received under the treaty. These bodies, charged with responsibility for oversight of the Internal Revenue Service, would have been prevented by the Exchange of Information Article of the treaty from having access to information necessary to audit the IRS administration of mutual agreement cases which may involve significant revenue.

Second, the committee pointed out that a unique provision of the treaty concerns the amount of certain compulsory loans required of certain corporations by Israel, if made before April 1, 1988. The treaty provision would permit a U.S. citizen or resident to treat the amount as a foreign income tax creditable against U.S. tax imposed on foreign income. The committee said that it does not consider it appropriate to grant a U.S. foreign tax credit for such a payment which is clearly not a creditable income tax under the Code. However, because of the time spent negotiating the treaty and its importance to the United States and Israel, and because of the provision's termination date, the committee decided not to recommend a reservation.

Third, the committee criticized a provision of the protocol that permits citizens and residents of one country to treat as a charitable contribution amounts contributed to certain charitable organizations created or organized under the laws of the other country. Treaties are not the proper forum for providing such deductions, the committee said, since the same objective can be accomplished through domestic law and, in fact, Congress had chosen not to grant such deductions to U.S. persons. While not recommending a reservation with respect to this provision, the committee warned that it would "very seriously consider" doing so if future treaties with similar provisions were transmitted to the Senate.

Finally, the committee expressed concern that information about payments of dividends, interest, and royalties by Israel to U.S. residents would not be available on a routine schedule. A note to the protocol commits Israel to supply the information as soon as it corrects deficiencies in technical capability and manpower, and the committee suggested that the Treasury Department monitor the situation closely to ensure receipt of the information as soon as possible.

The Senate considered the treaty and protocol on November 18, 1981, and agreed to the resolution of ratification by a vote of 97–0.

Tax Convention With the Republic of the Philippines (Ex. C, 95–1)

The Tax Convention with the Republic of the Philippines was signed October 1, 1976 and modified by an exchange of notes dated November 24, 1976. The treaty and the exchange of notes were transmitted to the Senate on January 19, 1977.

The purpose of the treaty, the first income tax treaty between the United States and the Philippines, is to reduce or eliminate potential double taxation of income earned by citizens and residents of either country from sources within the other country and to prevent avoidance or evasion of the income taxes of the two countries. It is also intended to promote closer cooperation between the two countries and to eliminate possible barriers to trade caused by overlapping taxing jurisdictions of the two countries.

The Committee on Foreign Relations held hearings on the treaty on July 19 and 20, 1977, but did not report it out. Advice and consent to ratification was delayed because of the failure to provide for a reciprocal exemption for air transport income. The airlines feared

that this failure would provide precedent that would be seized upon by other countries to refuse to provide similar coverage.

The committee again held hearings on the treaty, and on other tax treaties, on September 24, 1981. The committee considered the treaty on November 17, 1981, and ordered it favorably reported, with two reservations and two understandings. In its report (Ex. Rept. 97–39, December 4, 1981), the committee outlined the basis for the reservations and understandings and expressed certain concerns with the treaty.

The first reservation deals with Article 14, relating to gains on the disposition of real property. The language of the Article contains a provision that would restrict the right of the United States to apply the Foreign Investment Real Property Tax Act of 1980 (FIRPTA). The committee expressed the belief that it would not be appropriate to override FIRPTA, and that it was clearly the intent of Congress that the United States should tax foreign investors when they derive gain on the disposition of an interest in U.S. real estate, even when the foreigner is a resident of a treaty partner. The first reservation thus clarified this position.

The second reservation deals with Article 9, relating to shipping and air transport income. The Philippines indicated that they would not be willing to completely exempt air transport income, but that a reduction of the 2½ percent tax to 1½ percent would be acceptable. The committee believed that limiting Philippine taxation to 1½ percent and insuring most-favored-nation status to U.S. air carriers would be a reasonable compromise and worded the reservation accordingly. The committee warned that it would carefully scrutinize any future treaty that does not contain a reciprocal exemption for shipping or for air transportation income, and would be unlikely to recommend ratification of a treaty that does not at least give U.S. shippers and air carriers most-favored-nation status.

The two understandings were to make clear that (1) the Senate Finance Committee, House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, have access to all information received under the treaty; and (2) Article 9 overrides Article 11(6) and the Philippines may not impose its branch profits tax on income attributable to a Philippine permanent establishment where that income is covered by Article 9.

In addition, the committee instructed the Treasury Department and other relevant agencies such as the Departments of Transportation and State to immediately begin discussions with the Philippine Government to resolve problems of discriminatory excise taxes against U.S. air carriers which conflict with the International Air Transportation Fair Competitive Practices Act of 1979. Finally, the committee expressed concern over abuse possibilities, in that the treaty does not contain the usual provision that limits use of the treaty by third country nationals. The Treasury Department was therefore requested to negotiate an anti-abuse provision.

On December 16, 1981, the Senate, without debate and by division vote, agreed to the resolution giving its advice and consent to ratification. The Convention entered into force on October 16, 1982.

Revised Customs Convention on the International Transport of Goods Under Cover of TIR Carnets (Ex. M, 95–1)

The Revised Customs Convention on the International Transport of Goods Under Cover of Transport International Routier Carnets (TIR Convention) was signed by the United States on November 14, 1975, and was transmitted to the Senate July 26, 1977. The convention was the result of a review conference held in Geneva to revise the TIR Convention of 1959 to meet present day transportation needs. The United States, a contracting party to the original convention since 1969, was an active participant in the review conference.

The purpose of the convention is to modernize and expand the 1959 convention which governed the international transport of goods by motor carrier. The revised convention simplifies and standardizes documentation and customs procedures required of international trade. Second, it expands coverage from road vehicles to other means of transit, such as ship and rail. Lastly, it establishes a procedure to certify that trucks and containers have been constructed to minimize the risk of concealment of goods. Important improvements are that the TIR Carnet is to be printed in English as well as French, and U.S. goods transported to Europe which arrive late under the TIR carnet will be protected against administrative delays.

The Committee on Foreign Relations held a public hearing on July 22, 1980, and on July 24 voted unanimously to report the convention favorably to the Senate for its advice and consent to ratification (Ex. Rept. 96–52). For procedural reasons, the full Senate did not consider the convention prior to the end of the Congress, and it was automatically returned to the committee. On July 14, 1981, the committee again voted unanimously to report the convention favorably to the Senate (Ex. Rept. 97–19, July 23, 1981). On July 30, 1981, the Senate voted 98–0 to approve the resolution of ratification, without debate. The convention entered into force for the United States on March 18, 1982.

Tax Treaty With Morocco (Ex. H, 95–2)

The Tax Treaty with the Kingdom of Morocco signed at Rabat on August 1, 1977, was transmitted to the Senate on May 2, 1978 (Ex. H, 95–2), and referred to the Committee on Foreign Relations. The purpose of the treaty, the first income tax treaty between the United States and Morocco, is to reduce or eliminate potential double taxation of income earned by citizens and residents of either country from sources within the other country and to prevent avoidance or evasion of the income taxes of the two countries. It is intended to promote closer economic cooperation between the two countries and to eliminate possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the OECD model income tax treaty, this treaty deviates somewhat from these models to reflect Morocco's status as a developing country.

The committee held a public hearing on the treaty, and on other treaties, on September 24, 1981. The committee considered the treaty on October 27, 1981, and ordered it favorably reported, with one

reservation and one understanding, by a 14–0 vote. In its report (Ex. Rept. 97–31, November 10, 1981), the committee pointed out that the treaty contains provisions, similar to those contained in the tax treaty with Israel, not contained in any other U.S. treaty, permitting a U.S. citizen or resident to treat as a foreign income tax creditable against U.S. tax imposed on Moroccan income the amount required to be invested in Moroccan equipment bonds under Moroccan law described in the treaty. The Israeli provision terminates on March 31, 1988, while the Moroccan provision does not terminate. The committee did not consider it appropriate to grant a U.S. foreign tax credit for a payment such as this which is clearly not a creditable income tax under the Code.

The committee noted that significant concern with this provision was expressed by the tax writing committees. The committee recognized, however, that the treaty had been negotiated over a long period of time, and in the interest of expediting the treaty's ratification, decided that a fair solution would be recommending that the treaty be approved with the objectionable provision, but limiting the period of time the provision would remain in effect. The reservation accordingly was phrased to disallow the foreign tax credits after January 1, 1988.

The understanding recommended by the committee made clear that the treaty authorizes the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, to have access to all information received under the treaty.

The Senate considered the treaty on November 18, 1981, and agreed to the resolution of ratification, with the reservation and the understanding, by a vote of 97 yeas.

Additional Protocol I to the Treaty of Tlatelolco (Ex. I, 95–2)

The Treaty for the Prohibition of Nuclear Weapons in Latin America (the Treaty of Tlatelolco) establishes the first nuclear free zone in any populated region in the world. The treaty opened for signature in February 1967, and the Latin American parties to it are obligated to refrain from the manufacture, testing, use, storage, deployment, or possession of nuclear weapons anywhere in the world.

Although only Latin American nations are eligible to join the treaty itself, other nations, including the United States, are allowed to adhere to the two accompanying protocols. Protocol II to the treaty applies only to nuclear-weapon states and requires them to respect the nuclear free zone, not to contribute to any treaty violations, and not to use or threaten to use nuclear weapons against parties to the treaty. Protocol II was ratified by the United States on May 21, 1971.

Protocol I, designed to extend the nuclear-free obligation to countries which have non-self-governing territories in Latin America, was transmitted by President Carter to the Senate on May 24, 1978. Protocol I obligates the United States not to test, use, store, or deploy nuclear weapons in the principal territories of Puerto Rico, and the Virgin Islands, and at the Guantanamo Naval Base.

The treaty will come into force when the following conditions are met: (1) Ratification by all Latin American states in existence in

1967; (2) adherence to additional Protocols I and II by all states eligible to adhere; and (3) conclusions of safeguards agreements with IAEA. However, states that have ratified the treaty are given the option to waive these requirements and thereby become bound before the requirements are met.

At present, 22 Latin American states have waived the requirements and are bound by the treaty: Bahamas, Barbados, Bolivia, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Surinam, Trinidad/Tobago, Uruguay, and Venezuela. Chile and Brazil have not waived the requirements and will only become bound upon full entry into force.

Following United States ratification of protocol I, the remaining actions necessary for full entry into force are:

French ratification of protocol I;

Argentine ratification of the treaty itself;

Cuban signature and ratification of the treaty.

The Committee on Foreign Relations heard testimony on the protocol on August 15, 1978, but took no action pending receipt and assessment of a report by the Department of State on the legal aspects of the differing positions of the United States and the Soviet Union on the matter of nuclear transit and transport in the treaty zone. The committee again heard testimony from the administration on September 22, 1981, and on September 29 voted 15–0 to favorably report with understandings the treaty to the Senate (Ex. Rept. 97–23, October 19, 1981).

In its report, the committee discussed two major issues regarding the protocol. On the question of transit and transport of U.S. vessels and aircraft carrying nuclear weapons through the zone of applications, the Soviet Union in 1978 had stated that such action would "contradict the goals of the treaty." The legal analysis provided in 1978 by the State Department, and reaffirmed during the September 22, 1981, hearing, stated the U.S. position that these rights would not be affected by the provisions of the treaty and its protocols. The State Department recommended in 1978 and again in 1981 that understandings with regard to transit and transport rights be adopted by the Senate in its resolution of ratification, specifying the U.S. position. The understandings and declarations attached by the United States to protocol II were also stated to apply to protocol I.

The second issue considered by the committee concerned the independence of the Joint Chiefs of Staff support of the protocol. A controversy developed after the 1978 hearing over whether or not the President's staff had directed the Chiefs to give their unequivocal support irrespective of their views on the matter. During the September 22, 1981, hearing, the Joint Chiefs' spokesman unequivocally stated that the Joint Chiefs had arrived independently at their decision to support protocol I.

On November 13, 1981, the Senate agreed to the resolution of ratification of the protocol, with the requested understandings, by a 79–0 vote. The protocol entered into force on November 23, 1981.

Two Related Protocols to the Convention on International Civil Aviation (Ex. N and O, 96–1) and Protocol Relating to an Amendment to the International Civil Aviation Convention (Treaty Doc. 97–4)

These three protocols represent technical amendments to the Convention on International Civil Aviation, the so-called Chicago Convention of 1944. Treaty Doc. 97–4 is a result of U.S. initiative dating back to 1971. It amends the International Civil Aviation Convention to permit a state in which an aircraft is registered to transfer certain of its functions and duties under the Convention to a state of an operator leasing, chartering, or interchanging that aircraft, subject to the operating state's agreement. Those functions and duties pertain to Rules of the Air (Article 12), Aircraft Radio Equipment (Article 30), Certificates of Airworthiness (Article 31), and Licenses of Personnel (Article 32(a)). The extensive leasing of aircraft registered in one state to operators in another, with attendant difficulties by the state of registry in discharging its responsibilities under the articles cited, is the reason that the United States, the prime lessor of aircraft, advanced the proposal. Eventually it was adopted by the ICAO Assembly in 1980. The amendment is drawn in such a way that the state of registry may agree to designate any or all of its obligations under the specified articles; thus such a delegation of responsibilities may accord with a state's domestic law. At the same time, those responsibilities may be transferred to the state of the operator only if the latter agrees. This protocol will come into force after the ninety-eighth contracting state deposits its instrument of ratification in accordance wih Article 94(a) of the Chicago Convention.

Executives N and O of the 96th Congress, 1st session are two related protocols to the International Civil Aviation Convention which are designed to establish a Russian language text as an authentic text of the 1944 Convention. The first protocol amended the 1944 Convention by adding Russian to the languages in which there could be authentic texts. The second protocol on the Quadrilingual Text simply annexed a Russian language text which had been brought into thorough conformity with the existing English, French and Spanish texts. The purpose of these protocols was to facilitate the integration of Russian language speaking states, or states which use Russian for aviation purposes, into the international civil aviation community. They imposed no new substantive obligations on the United States.

The Foreign Relations Committee held a public hearing to receive comments on these three protocols on September 29, 1981. The administration formally endorsed the proposals in a letter to the committee on October 22, 1981. On November 10, 1981, the committee voted to approve all three protocols by voice vote of a quorum (Ex. Rept. 97–41, December 9, 1981). The Senate approved all three protocols as part of the bloc endorsement to various treaty proposals on December 16, 1981.

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Maritime Boundary Settlement Treaty With Canada (Ex. U, 96–1); Withdrawal of U.S.-Canada Fishery Agreement (Ex. V, 96–1)

The Maritime Boundary Settlement Treaty with Canada was signed March 29, 1979 and transmitted to the Senate May 3, 1979. The purpose of the treaty is to provide for the delimitation of the maritime boundary in the Gulf of Maine area by a Chamber of the International Court of Justice or, if such a chamber cannot be constituted in accordance with the wishes of the Parties, by an *ad hoc* Court of Arbitration. The treaty was one of two arrived at by special negotiators appointed after United States-Canadian boundary differences were greatly magnified in 1977, when both nations extended their fisheries jurisdictions to 200 miles. The other treaty (Ex. V, 96–1) involved fisheries and mineral resources and was also submitted to the Senate on May 3, 1979. Canada's agreement to submit the boundary issue to third-party arbitration was conditioned on U.S. acceptance of the fisheries treaty.

The fisheries treaty, however, was strongly opposed by New England Members of Congress and fishing industry representatives, as became apparent during hearings held April 15 and 17, 1980. An amendment to the treaty introduced by the New England congressional delegation was considered unacceptable by the Canadian Government; both treaties were therefore held in committee for almost 2 years.

The new administration and various Members of Congress renewed activity aimed at solving the fisheries problem, but it was concluded that only by separating the two treaties would it be possible to arrive at a solution reluctantly accepted by all parties. Correspondence between President Reagan and a number of Senators dated March 5 and 6, 1981, announced the decoupling solution. The President acknowledged that the fisheries treaty would not be ratified in a form acceptable to Canada, and requested separate consideration of the boundary settlement treaty.

The committee held a hearing on March 18, 1981 and on March 25, 1981, voted 15–0 to report favorably the boundary settlement treaty (Ex. Rept. 97–5, April 1, 1981). The Senate approved the resolution of ratification on April 29, 1981 by a 91–0 vote. On November 20, 1981, the treaty entered into force.

On April 21, 1981 President Reagan formally requested the return of the fisheries agreement. Senate Executive Resolution 1, providing for the return to the President of the treaty, was considered by the committee June 5, 1981 and ordered favorably reported (Ex. Rept. 97–13, June 11, 1981). The resolution was agreed to by the Senate June 17, 1981, by a voice vote.

Tax Convention With Malta (Ex. E, 96–2)

The Treaty Between the United States of America and the Republic of Malta with Respect to Taxes on Income was signed March 21, 1980, and submitted to the Senate April 21, 1980.

The purpose of the treaty is to reduce or eliminate potential double taxation of income earned by citizens and residents of either country from sources within the other country and to prevent avoidance or evasion of the income taxes of the two countries. The treaty is

similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the Organization for Economic Cooperation and Development model income tax treaty. Certain deviations from the model reflect Malta's status as a developing country and the U.N. model for tax treaties between developed and developing countries.

The committee held a public hearing on the treaty and on other tax treaties September 24, 1981. On October 27, 1981, the committee considered the treaty and ordered it favorably reported with an amendment and an understanding by a 14–0 vote.

In its favorable report (Ex. Rept. 97–30, November 10, 1981), the committee addressed the two provisions affected by the understanding and the amendment. The amendment was added to correct an unintended drafting error in paragraph (5) of Article 10, relating to the taxation by one country of dividends paid by a corporation resident in the other country.

The understanding recommended by the committee makes clear that the treaty authorizes the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, to have access to all information received under the treaty. These bodies, responsible for oversight of the Internal Revenue Service, require information exchanged under the treaty to audit the IRS administration of mutual agreement cases which may involve significant revenues.

The Senate considered the treaty November 18, 1981, and agreed to the resolution of ratification, with the amendment and the understanding, by a vote of 97–0. It entered into force on May 18, 1982.

Convention on the Physical Protection of Nuclear Material (Ex. H, 96–2)

The Convention on the Physical Protection of Nuclear Material was adopted in Vienna on October 26, 1979, and was signed by the United States on March 3, 1980. On May 9, 1980, it was sent to the Senate and referred to the Committee on Foreign Relations.

The purpose of the convention is to provide that standards of care are observed in the shipment and storage of sensitive nuclear materials to prevent their unlawful seizure or diversion; and that state parties are obligated to cooperate in recovering stolen nuclear material and prosecuting and extraditing those who unlawfully obtain such materials.

Secretary of State Kissinger originally proposed the convention in a U.N. Assembly address in 1974, and the 1975 Non-Proliferation Treaty Review Conference endorsed the proposal. The convention was concluded in 1976 and adopted by the International Atomic Energy Agency in October 1979.

Provisions of the convention cover key elements of the U.S. Nuclear Non-Proliferation Act of 1978 (Public Law 95–242), specifically sections 203 and 403. In his letter of transmittal, President Carter said that the convention complements domestic U.S. nonproliferation exports "by dealing with threats to nuclear material that may arise from terrorist groups."

The Committee on Foreign Relations received testimony supporting the convention from the Reagan administration on June 10, 1981.

On July 14, 1981, it voted 10–0 to report the treaty favorably to the Senate (Ex. Rept. 97–18, July 23, 1981). On July 30, 1981, the Senate agreed to the resolution of ratification by a unanimous vote of 98 yeas. The required implementing legislation, proposed by the administration, was referred to the Judiciary Committee.

Amendments to the Intergovernmental Maritime Consultative Organization Convention (Ex. K, 96–2)

In 1979, the Assembly of the Intergovernmental Maritime Consultative Organization adopted several amendments to its 1949 Convention. The President submitted these amendments for the advice and consent of the Senate on May 20, 1980.

The major purpose of the 1979 amendments to the IMCO Convention was to update the charter and the structural organization of the IMCO, whose membership had increased from 21 in 1958 to 118 in 1980. These amendments were designed to (a) increase the size of the IMCO Council, to provide for distribution of the expanded Council among three categories of states and to increase the number of Council members that constitute a quorum; and (b) to create a procedure for a member's withdrawal from the IMCO should it disagree with an amendment to the Convention.

The Committee on Foreign Relations held a public hearing on July 22, 1980. Favorable testimony was received from a Coast Guard witness presenting the executive branch's views. The Department of State and the Department of Transportation concurred in support of the amendments.

On July 24, 1980, the committee unanimously approved the IMCO Convention amendments and reported them favorably to the Senate on September 22 (Ex. Rept. 96–51). However, the amendments were not taken up by the full Senate during the remainder of the 96th Congress for procedural reasons. The treaty was thus automatically re-referred to the committee at the end of the Congress.

On July 14, 1981, the committee again voted unanimously to favorably report the amendments (Ex. Rept. 97–20, July 23). On July 30, 1981, the Senate voted 98–0 to approve the resolution of ratification.

Reciprocal Fisheries Agreements With the United Kingdom of Great Britain and Northern Ireland, 1979 (Ex. L, 96–2)

The purpose of this agreement, together with its Agreed Minute, is to permit traditional small scale fishing operations in the Virgin Islands to continue at their present levels. It replaces a similar arrangement which expired on December 31, 1978, but unlike that earlier agreement it has no fixed expiration date, but will remain in force until 90 days after either party gives written notice of its intention to terminate it. The agreement was necessitated by the Fishery Conservation and Management Act of 1976 and similar British legislation, which extended national jurisdiction over fisheries out to 200 miles. Under the zones which were established, traditional fishing activity in the Virgin Islands area would have had to cease. To prevent that, the earlier agreement was negotiated in 1977, and this one is a successor. The agreement provides for reciprocal access by fishermen from the U.S.

Virgin Islands and the British Virgin Islands into each other country's fisheries zone. Fishing in each zone is to go forward in accordance with existing patterns and at existing levels. The Agreed Minute defines these existing patterns and levels in terms of the number and length of ships from one country permitted to operate in the zone of the other.

The Committee on Foreign Relations held a public hearing on the agreement on October 27, 1981 and on November 10 ordered it favorably reported (Ex. Rept. 97–37, November 30, 1981). The committee recommended that the Senate give its advice and consent to ratification without reservation. This was accomplished by the Senate when a number of treaties and agreements were approved en bloc on December 16, 1981.

International Convention Against the Taking of Hostages (Ex. N, 96–2)

The Convention creates a legal framework for the apprehension and prosecution of international terrorists who seize, detain, or threaten to kill or injure another person in order to compel a third party to comply with their wishes. Parties to the Convention agree to make such hostage taking a criminal offense under their domestic laws and to prosecute or extradite any alleged violators.

The legal framework is essentially the same as that established for the protection of civil aviation in the Hague Convention on Aircraft Hijacking and the Montreal Convention on Aircraft Sabotage to which the United States is a party. The agreement also complements the Convention on the Prevention and Punishment of Crimes Against International Protected Persons, including Diplomatic Agents, already in force for the United States.

West Germany first proposed the Convention to the United Nations General Assembly in 1976. The Convention was approved by the United Nations General Assembly on December 17, 1979, and signed by the United States on December 21, 1979. On August 4, 1980, President Carter transmitted a copy of the U.N. Convention, together with a State Department report on it, to the Senate. The Convention was referred to the Foreign Relations Committee which held a hearing on June 10, 1981. Administration representatives, Under Secretary of State for Management Richard Kennedy and Deputy Legal Advisor Daniel McGovern, wholeheartedly endorsed the agreement. On July 14, 1981, the committee voted 16–0 to recommend the treaty to the full Senate for approval (Ex. Rept. 97–17, July 23, 1981). On July 30, 1981, the Senate agreed by a unanimous vote of 98–0 to the resolution of ratification.

The necessary implementing legislation was proposed by the administration and referred to the Judiciary Committee.

Tax Convention and Protocol With Jamaica (Ex. O, 96–2; Treaty Doc. 97–17)

The tax convention with Jamaica and a related exchange of notes, both signed on May 21, 1980, were transmitted to the Senate for advice and consent to ratification on August 4, 1980 (Ex. O, 96–2). The protocol and an accompanying exchange of notes, signed on

July 17, 1981, were transmitted to the Senate for its advice and consent on September 9, 1981 (Treaty Doc. 97–17). The convention and protocol would replace the extension to Jamaica in 1959 of the 1945 tax treaty with the United Kingdom.

The principal purpose of the income tax treaty is to reduce or eliminate potential double taxation of income earned by citizens and residents of either country from sources within the other country. It also seeks to prevent avoidance or evasion of the income taxes of the two countries. It is expected as well to eliminate possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. The treaty is similar to other recent U.S. income tax treaties and to the model income tax treaty of the OECD, but in a number of respects it grants greater tax jurisdiction to the country of source, rather than the country of residence. This reflects Jamaica's status as a developing country and the influence of the U.N. model for tax treaties between developed and developing countries. A central feature of the protocol, which was negotiated after Prime Minister Seaga's visit to Washington in January 1981, permits United States citizens to deduct expenses incurred while attending business conventions in Jamaica in the same way permitted by the U.S. tax code for conventions held in the United States, Canada, and Mexico.

The committee held public hearings on the proposed tax convention and protocol, and on other tax treaties, on September 24, 1981. During this hearing opposition to the protocol was expressed by Baltasar Corrada, Resident Commissioner of Puerto Rico, and Ron de Lugo, the Congressional Delegate from the U.S. Virgin Islands, arguing that the tax deduction would harm the tourist industry of the U.S. dependencies. The committee considered the treaty and protocol on December 8, 1981, and ordered them favorably reported (Ex. Rept. 97–40, December 9, 1981) with a reservation and an understanding by voice vote.

The reservation provided that notwithstanding the provisions of Article 13 of the convention, the United States would not be restricted in subjecting foreign persons to U.S. tax on the disposition of U.S. real estate under the Foreign Investment in Real Property Tax Act of 1980.

The understanding provided "that appropriate Congressional committees and the General Accounting Office shall be afforded access to the information exchanged under this treaty where such access is necessary to carry out their oversight responsibilities, subject only to the limitations and procedures of the Internal Revenue Code." This understanding was necessary to counteract an IRS interpretation limiting access to information received under similar treaties to persons involved in the assessment or collection of taxes.

While the committee approved the protocol, granting tax deductibility to U.S. citizens attending business conventions in Jamaica, the provision was controversial, particularly because it established by treaty a tax deduction that the Congress declined to enact in 1980 when it amended the basic foreign convention deduction rule in the Internal Revenue Code. As a result, the committee report clearly indicated that approval of the convention deduction in the protocol with Jamaica should not be taken as an indication of the committee's approval for any further extensions. Moreover, Senators Percy, Mathias, Pell, and Dodd subsequently sent a letter to the Secretary of the

Treasury expressing concern about the establishment of tax deductions by treaty and asking that the administration regularly brief the Foreign Relations Committee and the tax-writing committees of both houses prior to future negotiations on tax treaties that might modify existing tax statutes.

The Senate considered the convention and protocol, along with other treaties, on December 16, 1981. After Senator Percy and Senator Dole emphasized that the granting of tax deductions by treaty for business conventions held in Jamaica was to be considered an exceptional case, the Senate, voting on the treaties en bloc, approved the resolution of ratification granting its consent to the convention and protocol. Both entered into force on December 29, 1981.

Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals (Ex. S, 96–2)

The Protocol Amending the Interim Convention on Conservation of North Pacific Fur Seals, between the United States, Canada, Japan and the Soviet Union, was signed October 9, 1980 and transmitted to the Senate November 12, 1980. The purpose of the Protocol is to extend for an additional 4 years the 1957 Interim Convention, which expired October 4, 1980. It continues the prohibition now being observed with respect to pelagic or high seas sealing and provides a joint research program designed to furnish, as appropriate, sufficient factual data to conserve the fur seal herds of the North Pacific Ocean at a level of maximum sustainable productivity.

The committee held a public hearing on the Protocol March 20, 1981, and considered it on March 25, April 28, May 12 and 14, 1981. During the committee's consideration of the Protocol, Senator Dodd offered a reservation which would have directed the administration to reduce the fur seal kill on the U.S.-owned Pribilof Islands by not harvesting the 70 percent U.S. quota. The Chairman, in an April 29 letter, requested the views of the State Department on the proposed reservation. The Assistant Secretary of State for Congressional Relations and the Secretary of State, in letters of, respectively, May 8 and May 11, detailed the administration's reasons for opposing the reservation. On May 14, the committee voted 6–9 against adopting the reservation on the following grounds: It was unnecessary; it would have an uncertain effect on the seal herds; it would have an adverse effect on the Aleut communities; and it would run counter to the cooperative nature of the Convention.

On the same day, in open session, the committee voted 15–0 to report favorably the Protocol (Ex. Rept. 97–12, May 20, 1981). The Senate agreed to the resolution of ratification with an understanding on June 11, 1981, by a 94–0 vote. The understanding provided for studies to be undertaken on the requirements of the fur seal population, the Bering Sea ecosystem, and the economy of the Pribilof Islands. On July 21, 1981, the protocol entered into force.

Tax Convention With Egypt (Ex. U, 96–2)

The tax treaty with Egypt was signed August 24, 1980, and transmitted to the Senate November 12, 1980. It replaces the proposed treaty with Egypt (Ex. D, 94–2) which was signed October 28, 1975, but was returned to the President on December 1, 1981.

The purpose of the treaty is to reduce or eliminate potential double taxation of income earned by citizens and residents of either country from sources within the other country and to prevent avoidance or evasion of the income taxes of the two countries. The treaty is similar to other recent U.S. income tax treaties, to the U.S. model income tax treaty, and to the Organization for Economic Cooperation and Development model income tax treaty. Departures from these models reflects Egypt's status as a developing country and the U.N. model for tax treaties between developed and developing countries.

The committee held a public hearing on the treaty and on other tax treaties September 24, 1981. On October 27, 1981, the committee considered the treaty and ordered it reported with an understanding and a reservation, by a 14–0 vote.

In its favorable report (Ex. Rept. 97–27, November 10, 1981), the committee recommended a reservation pertaining to paragraph (3) of Article 7, which would have restricted the right of the United States to apply the Foreign Investment in Real Property Tax Act of 1980 (FIRPTA). The committee stressed that it would not be appropriate to override FIRPTA, and that it was clearly the intent of Congress that the United States should tax foreign investors when they derive gain on the disposition of any interest in U.S. real estate, even when the foreigner is a resident of a treaty partner. The reservation was thus intended to permit full application of U.S. domestic legislation.

The understanding recommended by the committee makes clear that the treaty authorizes the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, to have access to all information received under the treaty.

The Senate considered the treaty November 18, 1981, and agreed to the resolution of ratification, with the reservation and the understanding, by a vote of 97–0. The treaty entered into force on December 31, 1981.

Convention on the Conservation of Antarctic Marine Living Resources (Ex. X, 96–2)

The Convention on the Conservation of Antarctic Marine Living Resources was adopted by a diplomatic conference held in Canberra, Australia, May 7–20, 1980, and signed on behalf of the United States on September 11, 1980. It was transmitted to the Senate for advice and consent on December 2, 1980. At the time of its consideration in the Senate, six of the eight nations required for its entry into force and ratified, accepted, or approved the Convention. It entered into force on April 7, 1982.

The Convention resulted from a series of discussions and negotiations among the Consultative Parties to the 1959 Antarctic Treaty and a final conference at Canberra that included the 13 Consultative Parties and the Federal Republic of Germany and the German Democratic Republic.

The primary purpose of the Convention was to establish international mechanisms and legal obligations necessary for the protection and conservation of the marine living resources found in the waters surrounding Antarctic. In recognition of the fact that harvesting of

one species of living resources affects the survival of other species and, in turn, may upset the balance of the entire ecosystem of the Antarctic, the treaty provides for an ecosystem approach, rather than a single species approach, to the management of these resources. It obligates contracting parties to ensure compliance with it and with the measures adopted by a commission established by the treaty.

On October 27, 1981, the committee received testimony supporting the Convention from the executive branch and interest groups. Various issues that were resolved in the Convention were discussed. In addition, the committee heard suggestions on development of implementing legislation for the Convention. This legislation would have to be enacted by Congress, but not before the United States would participate in the commission and scientific committee established by the Convention. The committee was not aware of any opposition to the Convention and, by voice vote of a quorum, on November 10, 1981, ordered the Convention reported favorably to the Senate with a Proces-Verbal of Rectification, dated March 18, 1981, for its advice and consent to ratification (Ex. Rept. 97–38, November 30, 1981).

On December 16, 1981, the Senate, by division vote, agreed to the resolution giving its advice and consent to ratification.

Tax Convention With Bangladesh (Ex. Y, 96–2)

The Convention between the Government of the United States of America and the Government of the People's Republic of Bangladesh for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income (Ex. Y, 96–2) was signed on October 6, 1980, and was amplified by a concurrent Exchange of Notes. The treaty and notes were transmitted to the Senate for advice and consent to ratification on December 2, 1980.

The treaty is intended to promote closer economic cooperation between the two countries and to eliminate possible barriers to trade caused by overlapping taxing jurisdictions. As is other tax treaties, its objectives are achieved by each country agreeing to limit, in certain specific situations, its right to tax income derived from its territory by residents of the other country. The treaty is similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the model income tax treaty of the OECD. The convention, with minor deviations from the model provisions, contains the usual rules relating to real property income, capital gains, the treatment of students, teachers, pensioners and government employees, nondiscrimination, and administrative cooperation. However, there are certain deviations from these models to reflect Bangladesh's status as a developing country.

Maximum rates of tax are established on a reciprocal basis for the taxation by the source country of dividends, interest, and royalties, which in general exceed rates specified in the U.S. model. The rates, however, are consistent with those established in other U.S. treaties with developing countries. The convention differs in one major respect from other recent U.S. tax treaties, including those with developing countries. Shipping income, like airline operating income, is normally exempted but in this case is not. The convention also differs from most U.S. treaties by defining a resident to include U.S. citizens not

residing in the United States. The Exchange of Notes at Dacca pertained primarily to gaining a U.S. commitment to reopen discussion should it ever forego its objections to a "tax-sparing" credit system which developing countries believe would promote the flow of investment to them.

The Committee on Foreign Relations held public hearings on the proposed tax treaty on September 24, 1981, considered it on October 27, and ordered it favorably reported with two understandings, by a vote of 14–0. The first understanding pertains to the taxation of shipping and air transport income. In its favorable report (Ex. Rept. 97–26, November 10, 1981) the committee expressed concern with the failure to obtain a reciprocal exemption of shipping income, though it recognizes that some developing countries feel they cannot agree to such an exemption. It is understood that should Bangladesh grant a reduction in tax to residents of any other country, treatment at least as favorable should be accorded U.S. shippers. The second understanding is concerned with the exchange of information and administrative assistance. It is understood that access to information received under the treaty shall be afforded to appropriate congressional committees and the GAO where such access is necessary to carry out their oversight responsibilities, subject only to the limitations and procedures of the Internal Revenue Code, and not just to those agencies involved in the assessment and collection of taxes, as the Exchange of Information Article stipulates.

The Senate considered the treaty November 18, 1981 and by a unanimous vote of 97 yeas agreed to the resolution of ratification.

Protocol to the Tax Convention With Norway (Ex. Z, 96–2)

The Protocol to the Tax Treaty with Norway was signed September 19, 1980, and was transmitted to the Senate December 2, 1980. It modifies the existing tax treaty between the United States and Norway which was signed December 3, 1971.

The purpose of the protocol is to deal with issues that have arisen since the existing treaty was signed, particularly problems raised by the exploitation of oil in the Norwegian sector of the North Sea, and to take into account changes in Norway's tax system during the past decade. The protocol provides that the special tax imposed by Norway on submarine petroleum resources is a covered tax and is creditable for U.S. purposes, within limits. It allows each country to tax under its domestic laws persons engaged in activities in connection with the exploration for or exploitation of, for more than 30 days in a 12-month period, seabed mineral resources situated in that country. Other provisions of the protocol deal with transportation income, dividends, interest, capital gains, entertainers and athletes, social security, and taxation of a former citizen.

The committee held a public hearing on the protocol and on other tax treaties September 24, 1981. On October 27, 1981, it considered the protocol and ordered it favorably reported, with an understanding, by a 14–0 vote. The understanding makes it clear that the treaty authorizes the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, to have access to all information received under the treaty.

In addition, the committee report (Ex. Rept. 97–32, November 10, 1981) questioned the wisdom of the provision of the protocol specifically including as creditable income taxes the special tax of the Norwegian Petroleum Tax Act (PTA) and the national and municipal income taxes administered under the PTA as well as substantially similar taxes that may be enacted later. The committee stressed that congressional tax-writing committees have made clear that they do not consider treaties as appropriate vehicles for granting such unilateral credits. The committee therefore suggested that, in the future, treaties not be used to handle such problems which could best be dealt with legislatively or administratively.

The Senate considered the protocol on November 18, 1981, and agreed to the resolution of ratification; with the understanding by a vote of 97–0. On December 15, 1981, the protocol entered into force.

Estate and Gift Tax Treaty With the Federal Republic of Germany (Treaty Doc. 97–1)

The Estate and Gift Tax Treaty with the Federal Republic of Germany was signed December 3, 1980, and transmitted to the Senate January 19, 1981. The purpose of the treaty is to alleviate double taxation on the estates and gifts of citizens and domiciliaries of both countries by modifying the jurisdicitional rules of estate and gift taxation with respect to these individuals, and to prevent evasion of taxes on estates, gifts and inheritances.

The treaty applies, in the United States, to the Federal estate tax, the Federal gift tax, and the Federal tax on generation-skipping transfers, and in the Federal Republic of Germany, to the inheritance and gift tax. In general, it is similar to treaties with the United Kingdom and with France, both of which are already in force. The underlying principle of the treaty is that the country of domicile may tax the estate and gifts of a decedent or donor on a worldwide basis, but must credit tax paid to the other State with respect to certain types of property located therein.

The committee held a public hearing on the treaty and on other tax treaties September 24, 1981. On October 27, 1981, the committee considered the treaty and ordered it favorably reported, with an understanding, by a 14–0 vote.

In its report (Ex. Rept. 97–28, November 10, 1981), the committee limited its comments to explaining the recommended understanding, which is to make clear that the treaty authorizes the Senate Finance Committee, the House Ways and Means Committee, and the Joint Committee on Taxation, as well as the General Accounting Office, to have access to all information received under the treaty.

The treaty was considered by the Senate November 18, 1981, and the resolution of ratification was agreed to, with the understanding, by a vote of 97–0.

Protocol on Importation of Educational, Scientific, and Cultural Materials (Treaty Doc. 97–2)

The Protocol to the Agreement on the Importation of Educational, Scientific, and Cultural Materials, adopted at Nairobi on November 26, 1976, was submitted to the Senate on January 19, 1981 (Treaty Doc. 97–2), and referred to the Foreign Relations Committee.

The purpose of the protocol is to amend and expand the coverage of the Agreement on the Importation of Educational, Scientific and Cultural Materials, which facilitates the international flow of those materials, and generally the exchange of ideas and information, through the extension of duty-free treatment to a range of such materials. The protocol broadens the list of eligible products under the Agreement. It will have substantial economic benefits for the United States, both in lower cost imports for U.S. consumers and in increased markets for U.S. exporters. The protocol includes nine separate annexes covering different types of materials, or which the United States would adhere to five: (1) books, publications and documents; (2) works of art and collectors' pieces of an educational, scientific or cultural character; (3) visual and auditory materials; (4) scientific instruments or apparatus; and (5) articles for the blind and other handicapped.

The committee received testimony from the administration and written endorsements from private associations and industries at a hearing on October 20, 1981. The committee decided to withhold action on the protocol until implementing legislation was proposed by the administration. Committee consultations were held with the staffs of the Senate Finance Committee and the House Ways and Means Committee, which would be responsible for considering the legislation. Subsequently H.R. 6093 was introduced in the House. Therefore on April 27, 1982, the committee voted by voice vote to report the protocol favorably to the Senate.

In its report (Ex. Rept. 97–53, May 21, 1982), the committee noted that it was not aware of any opposition to the ratification of the protocol by the United States, and that the list of supporters of ratification included representatives of the publishing and recording industries as well as organizations representing libraries and the blind. In addition, the committee noted that the State Department had specified the Protocol as one of the few agreements for which it saw an "urgent need."

The Senate considered the protocol on September 30, 1982, and agreed to the resolution of ratification by a 97–0 vote.

Consular Convention With China (Treaty Doc. 97–3)

The Consular Convention Between the United States of America and the People's Republic of China was signed September 17, 1980, and transmitted to the Senate January 19, 1981 (Treaty Doc. 97–3). The purpose of the convention is to subject the two countries' consular relationships, for the first time, to formal agreement. The treaty establishes firm obligations in the free communication between a citizen and his consul, notification to consular officers of the arrest and detention of their citizens, and permission for visits by consuls of those detained. These provisions will greatly expand protection of the welfare of the increasing numbers of U.S. citizens visiting China, given that country's vast size, decentralized governmental structure, and relatively limited communication facilities. The treaty also authorizes performance of the customary wide variety of other consular services which contribute to the improvement of governmental and commercial interactions between countries.

The committee held a public hearing on the treaty June 9, 1981, at which time it was ordered favorably reported by a 15–0 vote (Ex. Rept. 97–14, June 17, 1981). The Senate considered the treaty December 11, 1981, and by an affirmative division vote, agreed to the resolution of ratification. The treaty entered into force on February 19, 1982.

Extradition Treaty With the Kingdom of the Netherlands (Treaty Doc. 97–7)

Extradition Treaty With Colombia (Treaty Doc. 97–8)

The Treaty of Extradition between the United States of America and the Kingdom of the Netherlands was signed June 24, 1980, and transmitted to the Senate June 1, 1981 (Treaty Doc. 97–7). Upon entry into force, it terminates and supersedes the 1887 Extradition Treaty and the 1904 Supplementary Treaty between the two countries.

The Treaty of Extradition between the United States of America and the Republic of Colombia was signed September 14, 1979, and transmitted to the Senate June 1, 1981 (Treaty Doc. 97–8). Upon entry into force, it terminates and supersedes the 1888 Extradition Treaty and the 1940 Supplementary Treaty between the two countries.

The purpose of both treaties is to identify the offenses for which extradition will be granted, to establish procedures for presenting extradition requests, to enumerate exceptions to the duty to extradite, to specify the evidence required to support a finding of a duty to extradite, and to set forth administrative provisions for bearing costs and legal representation. The treaties expand the list of extraditable offenses to include narcotics violations, aircraft hijacking, bribery, and obstruction of justice, as well as many other offenses not covered by the earlier treaties.

The committee held a public hearing on the treaties November 10, 1981, and considered them in open session November 17, 1981, at which time they were ordered favorably reported (Ex. Repts. 97–33, and 97–34, November 20, 1981). The Senate considered the treaties December 2, 1981, and agreed to the resolutions of ratification by a vote of 96 yeas. The treaty with Colombia entered into force on March 4, 1982.

Protocols to the International Wheat Agreement (Treaty Doc. 97–9)

Two Protocols to the International Wheat Agreement, signed for the United States on May 8, 1981, were submitted to the Senate on June 11, 1981 (Treaty Doc. 97–9), and referred to the Foreign Relations Committee. The purpose of the protocols is to extend for 2 more years the Wheat Trade Convention (WTC) and the Food Aid Convention (FAC), which together constitute the International Wheat Agreement.

The sixth extension of the WTC maintains the existing framework for international cooperation in wheat matters. It authorizes the International Wheat Council, which meets semi-annually, to continue to collect, analyze and disseminate data on the international wheat situ-

ation, with particular reference to supply, demand, trade, and prices.

The first extension of the FAC maintains the parties' commitments to provide minimum annual quantities of cereals food aid to needy developing countries. The United States' commitment is 4.47 million metric tons—well within currently authorized food aid programs under Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, as amended. The aim of the FAC is to achieve a target of at least 10 million tons of cereals aid annually to developing countries.

The committee held a hearing on November 24, 1981, to receive testimony from administration and public witnesses. On December 8, 1981, the committee voted unanimously to report the protocols favorably (Ex. Rept. 97–42, December 10, 1981).

The Senate considered the protocols on December 16, 1981, and agreed to the resolution of ratification by division vote. The protocols entered into force January 12, 1982.

Tax Convention With Argentina (Treaty Doc. 97–10)

The Convention and Protocol with the Argentine Republic, signed at Buenos Aires on May 7, 1981, was submitted to the Senate on June 11, 1981 (Treaty Doc. 97–10), and referred to the Foreign Relations Committee. The purpose of the treaty, the first income tax treaty between the United States and Argentina, is to reduce or eliminate double taxation of income earned by citizens and residents of either country from sources within the other country and to prevent avoidance or evasion of the income taxes of the two countries. It is intended to promote closer economic cooperation between the two countries and to eliminate possible barriers to trade caused by overlapping taxing jurisdictions of the two countries. Also it is intended to enable both countries to cooperate in preventing avoidance and evasion of their taxes. It is similar to other recent U.S. income tax treaties, the U.S. model income tax treaty, and the OECD model income tax treaty, deviating somewhat from the model to reflect Argentina's status as a developing country and to reflect the United Nations Model.

The committee held hearings on the Argentine treaty, and on other tax treaties, on September 24, 1981. It considered the treaty on December 8, 1981, and ordered it reported favorably, with two reservations and an understanding.

In its report (Ex. Rept. 97–44, December 15, 1981), the committee commented on the proposed reservations and understanding. The first reservation deals with Article 13, relating to gains on the disposition of real property. The committee pointed out two instances of treaty language conflicting with the Foreign Investment in Real Property Tax Act of 1980 (FIRPTA). The treaty treats partnerships, trusts and estates as entities and would only permit taxation of the gain on the disposition of an interest in those entities by a resident of Argentina if 50 percent or more of its assets consisted of U.S. real property interests. This directly overrides FIRPTA. Also, in the treaty for purposes of determining whether an entity's assets consist principally of real property in which the business of the entity is carried on is not

treated as real property. This would make it possible for a foreign investor to make substantial investments in U.S. real estate used in a business and, assuming the asset mix were managed properly, significant nonbusiness U.S. real estate investments without being subject to FIRPTA. The committee expressed the belief that it would not be appropriate to override FIRPTA and worded the reservation accordingly.

The second reservation deals with the absence of an anti-treaty-shopping provision in the treaty, and includes an anti-abuse provision that was not objected to by the Argentine Government.

The understanding makes clear that the treaty authorizes the Senate Finance and House Ways and Means Committees, the Joint Committee on Taxation, and the General Accounting Office to have access to all information received under the treaty.

The Senate considered the treaty on December 16, 1981, and approved the resolution of ratification, with the two reservations and the understanding, by division vote.

Mutual Legal Assistance Treaty With Colombia (Treaty Doc. 97–11)

Mutual Legal Assistance Treaty With the Kingdom of the Netherlands (Treaty Doc. 97–16)

The Treaty on Mutual Legal Assistance between the United States of America and the Republic of Colombia was signed August 20, 1980, and transmitted to the Senate June 11, 1981 (Treaty Doc. 97–11).

The Treaty on Mutual Legal Assistance between the United States of America and the Kingdom of the Netherlands was signed June 12, 1981, and transmitted to the Senate September 9, 1981 (Treaty Doc. 97–16).

The treaty with Colombia provides for assistance in any kind of government investigation or proceeding whether it be criminal, civil, or administrative. The treaty with the Netherlands does not extend to civil or administrative matters, but the parties do not rule out the use of evidence of information obtained under the treaty for civil or administrative proceedings. Mutual assistance under both treaties includes executing requests relating to criminal matters; taking of testimony or statements of persons; producing and authenticating documents, records, or articles of evidence; serving judicial documents, writs, summonses, records of verdicts, and court judgments or decisions, effecting the appearance of a witness or expert; locating persons; and providing judicial records, evidence, and information.

Both treaties address a variety of criminal activities, including drug trafficking, fraud, the avoidance of U.S. securities law, evasion of U.S. taxes, and the financing of organized crime.

The committee held a public hearing on the treaties November 10, 1981, and considered them in open session November 17, 1981, at which time they were ordered favorably reported (Ex. Repts. 97–35 and 97–36, November 20, 1981). The Senate considered the treaties December 2, 1981, and agreed to the resolutions of ratification by a vote of 96 yeas.

Treaty With Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges (Treaty Doc. 97–13)

The Treaty between the Government of the United States of America and the Government of Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges was signed May 26, 1981, and transmitted to the Senate July 8, 1981. The purpose of the treaty is to provide reciprocal port access and loading privileges for albacore tuna to United States and Canadian fishermen in British Columbia, Oregon, Washington and California. Free and unlimited fishing for vessels of both countries fishing for albacore tuna off Canada and the United States beyond 12 miles from the coast is also guaranteed.

The treaty was negotiated after Canada seized 19 U.S. flag vessels fishing for albacore tuna off its coast in 1979, claiming a 200-mile fisheries jurisdiction over all fish, including the highly migratory albacore tuna. The U.S. position is that highly migratory species must be managed by an international regime rather than by each coastal state. The United States imposed an embargo on tuna imports from Canada in response to the seizure. An interim agreement reached in 1980 gave U.S. fishermen temporary access to Canadian waters and the embargo was lifted. In its favorable report on the treaty, the committee voted that Canadian leaders were "sensitive to potential problems in the ratification process" due to Senate failure to ratify the East Coast Fishery Treaty. It further pointed out that affected U.S. fishery interests had been involved in the entire process of negotiating the treaty.

The committee heard administration testimony in support of the treaty on July 14, 1981, and unanimously voted to report it favorably (Ex. Rept. 97–15, July 15, 1981). The resolution of ratification was agreed to by the Senate on July 20, 1981, by a 97–0 vote. The treaty entered into force on July 29, 1981.

Convention With Mexico for the Recovery and Return of Stolen or Embezzled Vehicles and Aircraft (Treaty Doc. 97–18)

The Convention between the United States of America and the United Mexican States for the Recovery and Return of Stolen or Embezzled Vehicles and Aircraft, signed at Washington on January 15, 1981, was submitted to the Senate on September 29, 1981 (Treaty Doc. 97–18), and referred to the Foreign Relations Committee.

The Convention supersedes a 1936 Convention with Mexico that established the principle of mutual assistance in the recovery of vehicles or airplanes stolen in one country and found in the other. The 1936 Convention was framed in very general terms and was found inadequate to meet present law enforcement needs. It was therefore renegotiated by mutual agreement to clarify the procedures to be followed in effecting returns and to provide exceptions in which returns would conflict with law enforcement objectives. The Convention was drafted with two main problems in mind: The current estimated value of U.S. aircraft and vehicles stolen and taken into Mexico exceeds $100 million: and more than a billion dollars of contraband are taken from the United States into Mexico, many times aboard such stolen aircraft.

The committee held a public hearing on June 11, 1982 to receive administration and public testimony, all supporting the Convention.

Representatives of the Departments of State and Justice and of the law enforcement community and aircraft insurers all spoke in favor of the Convention. On June 30, by a 15–0 vote, the committee ordered the Convention favorably reported (Ex. Rept. 97–55, July 1, 1982).

The Senate considered the Convention on September 30, 1982, and approved the resolution of ratification by a 97–0 vote.

Agreement Extending for Eight Months Provisions of the Treaty of Friendship and Cooperation With Spain (Treaty Doc. 97–20)

The Agreement between the United States and Spain, Extending for a Period of Eight Months the Rights, Duties and Obligations of the Two Countries Under the Treaty of Friendship and Cooperation of January 24, 1976, 27 U.S.T. 3005, T.I.A.S. 8360, was effected by an exchange of notes September 4, 1981, and transmitted to the Senate October 14, 1981. The purpose of the agreement is to extend until May 21, 1982, U.S. rights regarding access to and use of three air bases and one naval base in Spain, and to preserve relations existing between the two countries.

On October 27, 1981, the committee ordered it favorably reported by a 14–0 vote.

In its report (Ex. Rept. 97–24, November 9, 1981), the committee noted that during the term of the treaty extension, it was expected that Spain will have completed the process of accession to the North Atlantic Treaty. A new bilateral successor to the current treaty could therefore be concluded as an executive agreement, in keeping with U.S. practice with regard to comparable agreements with other NATO members.

The Senate considered the agreement November 18, 1981, and agreed to the resolution of ratification by a vote of 97–0, and on September 4, 1981, the agreement entered into force for the United States.

Treaty on International Radio Frequencies: WARC–79 (Treaty Doc. 97–21)

The Radio Regulations (Geneva, 1979) and a Final Protocol, signed for the United States at Geneva on December 6, 1979, with several reservations (hereafter referred to as the treaty), were submitted to the Senate on November 24, 1981 (Treaty Doc. 97–21), and referred to the Foreign Relations Committee. The purpose of the treaty is to establish and maintain a fair and efficient allocation of the radio spectrum for the range of different uses and to avoid international disagreement and interference. The treaty embodies the radio frequency allocations and other agreements reached at the 1979 World Administrative Radio Conference, held in Geneva from September 24 through December 6, 1979, as a legislative organ of the International Telecommunications Union. The conference was the first international meeting in two decades to consider the entire range of radio services, including AM broadcasting, mobile and amateur services, satellite broadcasting, and other uses. The 994-page Final Acts of WARC–79 will be ratified as a multilateral agreement by most countries of the world.

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The committee held a hearing on May 18, 1982, receiving testimony from the Departments of State, Commerce, and Defense, and from the Federal Communications Commission, and also from private representatives. On September 21, 1982, the committee ordered the treaty reported favorably. In its report (Ex. Rept. 97–61, September 28, 1982), the committee took note that the U.S. delegation entered a number of important reservations, and made several joint and unilateral statements, at the time of signature. The committee recommended Senate advice and consent to the treaty with those reservations and statements, subject to a single proviso, appended as an amendment to the resolution of ratification, relating to domestic implementation of one aspect of the treaty. The committee had received written comments from industry representatives concerned that the introduction of new services for direct broadcasting from satellites should not be allowed to disrupt unduly the terrestrial fixed microwave communications already making use of the 12.2–12.7 GHz. The committee therefore agreed to include language admonishing the Federal Communications Commission to take all reasonable care to minimize any such disruption. The committee pointed out that the Commission has made clear that it already shares this objective and regards its Report and Order of June 23, 1982 relating to Direct Broadcast Satellites, as fully consistent with the committee's proposed condition.

The Senate considered the treaty on December 21, 1982, and approved the resolution of ratification, as amended by the committee, by division vote, with one additional amendment: That the Secretary of State shall take expeditious action to strengthen and improve the coordination of U.S. international communications and information policy, including consideration of appropriate changes in the organization of the Department of State for this purpose.

Protocol to the North Atlantic Treaty on the Accession of Spain (Treaty Doc. 97–22)

This protocol of accession was adopted by the NATO foreign ministers on December 10, 1981, and was to be ratified by all member governments according to their constitutional processes. The NATO invitation to Spain to join the alliance followed the adoption by both houses of the Spanish parliament, by substantial majorities, of a resolution expressing a desire to join NATO. Article I of the Protocol provides that upon its entry into force, the Secretary General of NATO, on behalf of all the parties, was to extend an invitation to Spain to join the alliance. Spain was to become a party to the treaty on the date on which it deposited its instruments of accession with the United States, in accordance with provisions of Article 10 of the treaty. Article II of the protocol provides that it would enter into force when each of the parties to the North Atlantic Treaty has notified the United States of its acceptance of the protocol. Article III provides for the equal authenticity of the English and French texts, and for its deposit with the United States, which is the depository state for North Atlantic treaty purposes.

This protocol was supported by the administration as making a material contribution to the security of the Western alliance and as helping to consolidate Spanish democracy. The Foreign Relations Committee, after having heard a classified briefing from the Acting

Assistant Secretary of State for European Affairs on March 1, 1982, and having questioned Under Secretary of State-designate Eagleburger during his February 4, 1982 confirmation hearing, favorably reported the protocol without reservation and recommended that the Senate give its advice and consent to the ratification thereof (Ex. Rept. 97–51, March 9, 1982). The resolution of ratification was approved on March 16, 1982 and the protocol entered into force on May 29, 1982.

Convention for the Conservation of Salmon in the North Atlantic Ocean (Treaty Doc. 97–25)

The Convention for the Conservation of Salmon in the North Atlantic Ocean, signed in March 1982 by the United States, Canada, the European Community, Iceland and Norway, was submitted to the Senate on June 23, 1982 (Treaty Doc. 97–25), and referred to the Foreign Relations Committee. The purpose of the Convention is to conserve, restore, and manage the salmon stocks of the North Atlantic Ocean. It was negotiated pursuant to provisions of the Magnuson Fishery Conservation Management Act of 1976, which mandates that the Secretary of State shall initiate negotiations to protect U.S. interests pertaining to anadromous (e.g., salmon) resources. Work on the Convention was originated in 1978 by the United States; six conferences of interested parties were held, culminating in the Rykjavik conference in January 1982 which produced the final convention.

The Convention applies to salmon stocks which migrate beyond areas of fisheries jurisdiction of coastal nations of the Atlantic Ocean north of 36 degrees north latitude throughout their migratory range. It is designed to control and manage the high seas interception of salmon before they return to their rivers of origin, by (1) prohibition of fishing beyond 12 miles of the coast, except in the case of Greenland and the Faroe Islands; (2) establishment of a council and three regional commissions empowered to adopt proposals to regulate the interceptions by one country of salmon originating in rivers of other countries. As a result of these measures, more salmon are expected to return to spawn in their rivers of origin.

The committee considered the Convention on August 10, 1982, accepting at that time statements in support of the Convention from the administration and public groups. It voted unanimously to favorably report the Convention without amendment.

In its report (Ex. Rept. 97–58, August 13, 1982), the committee commented that it was acting promptly because the Convention should enter into force as soon as possible. However, the committee emphasized the importance to the United States and Canada of adequate conservation measures being maintained in the West Greenland salmon fishery during 1983, while the structure of the Convention-created organization is being established. The committee therefore took note of the State Department's ongoing efforts in working with Canadian and European officials to achieve both objectives and urged the Department to intensify their efforts to achieve the earliest possible entry into force of the Convention.

The Senate considered the Convention on September 30, 1982, and approved the resolution of ratification by a 97–0 vote.

Estate and Gift Tax Treaty with Austria (Treaty Doc. 97–26)

The Convention Between the United States of America and the Republic of Austria for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Estates, Inheritances, Gifts, and Generation-skipping Transfers, signed at Vienna on June 21, 1982, was transmitted to the Senate on August 10, 1982 (Treaty Doc. 97–26), and referred to the Foreign Relations Committee. The treaty, the first estate and gift tax treaty between the two countries, is similar in principle to corresponding treaties with the United Kingdom and with France. It is also similar to the U.S. model estate and gift tax convention, published by the Treasury Department on December 8, 1980.

The purpose of the treaty is to alleviate double taxation on the estates, gifts, and generation-skipping transfers of citizens and domiciliaries of the two countries by modifying the jurisdictional rules of such taxation with respect to these individuals. The treaty modifies the jurisdictional rules in two ways: (1) An individual's country of domicile is given primary tax jurisdiction over the estates, gifts, and deemed transfers of its domiciliaries. However, real property and business property located in the other country are subject to primary tax jurisdiction in that situs country. (2) In situations where both countries under their own domestic laws consider an individual to be a domiciliary, the individual will be treated as having only one country of domicile for purposes of the taxes covered by the treaty. Criteria are set forth to determine which country is the country of domicile.

The committee considered the treaty on Setpember 21, 1982, and ordered it favorably reported (Ex. Rept. 97–60, September 24, 1982). No significant issues arose during the consideration of the treaty by the committee. The Senate considered the treaty on September 30, 1982, and approved the resolution of ratification by a 97–0 vote.

Return of Various Tax Treaties

Senate Executive Resolution 2 provided for the return to the President of various income tax treaties (with Thailand—Ex. E, 89–1; with Israel—Ex. F, 89–1; and with Egypt—Ex. D, 94–2). The Department of State in a July 14, 1981, letter to the committee stated the administration's position that the three treaties should not be approved. Two of the treaties—those with Israel and Egypt—had been superseded by subsequently negotiated agreements and both had been approved by the Senate. The third treaty, that with Thailand, had been on the committee's calendar for 15 years and was no longer regarded as a live proposal by the President.

The committee voted unanimously to return the treaties to the President at its regular business meeting of October 27, 1981 (Ex. Rept. 97–25, November 10, 1981). The Senate considered S. Ex. Res. 2 on December 1, 1981, and approved the resolution by voice vote.

Senate Executive Resolution 4 provided for the return to two income tax treaties (with Cyprus—Ex. I, 96–2; and with the British Virgin Islands—Treaty Doc. 97–6). In a letter dated September 15, 1981 the State Department requested that consideration of these treaties be delayed to give the Treasury Department time to negotiate certain

modifications. The committee reported an original executive resolution on December 10 (Ex. Rept. 97–43) and the Senate agreed to it on December 16, 1981.

Other Treaties Considered by the Committee

Eight additional treaties were considered by the Foreign Relations Committee but received no final action:

(1) On December 3, 1981 a public hearing was held on the Genocide Convention (Ex. O, 81–1). The convention received no further consideration during the 97th Congress.

(2) Two Related Protocols to the Convention for the Unification of Certain Rules Relating to International Carriage by Air (Ex. B, 95–1) was the subject of a public hearing on September 29, 1981. They were considered further by the committee on November 10 and 17, 1981 and was reported to the Senate with certain conditions and recommendations on December 16 (Ex. Rept. 97–45). A letter from the Department of Transportation urging prompt action was received in the Senate on March 31, 1982. However, the protocols were not acted on by the Senate.

(3–6) A public hearing on December 11, 1981 was held on three friendship treaties and one maritime boundary treaty. They were the Treaty of Friendship with Tuvalu (Ex. W, 96–1), Treaty of Friendship with Kiribati (Ex. A, 96–2), Treaty of Friendship with the Cook Islands (Ex. P, 96–2) and Treaty with New Zealand on the Delimitation of the Maritime Boundary between the United States and Tokelau (Treaty Doc. 97–5). All four treaties were considered by the committee on January 26 and 28, 1982 and were reported on February 11 (Ex. Repts. 97–47, 97–48, 97–49 and 97–50, respectively). The Senate did not take final action on any of these treaties.

(7) The committee held a public hearing on September 24, 1981 on several tax treaties. All of the treaties were approved except the Convention with Canada on Taxes on Income and Capital (Ex. T, 96–2) was not reported by the committee.

(8) On June 29, 1982 a public hearing was held on the Constitution of the United Nations Industrial Development Organization (Treaty Doc. 97–19), and on September 13 it was reported (Ex. Rept. 97–59). No final action was taken by the Senate.

Treaties Pending in Committee at the Close of the 97th Congress

In addition to the treaties listed above, the following treaties were still pending before the committee at the close of the 97th Congress:

Convention concerning Freedom of Association and Protection of the Right to Organize, submitted on August 27, 1949 (Ex. S, 81–1).

Optional Protocol of Signature concerning the Compulsory Settlement of Disputes (Law of the Sea), submitted September 9, 1959 (Ex. N, 86–1).

Convention concerning the Partial Revision of the Conventions adopted by the General Conference of the International Law Organization at its first 32 sessions, submitted on June 1, 1962 (Ex. C, 87–2).

Convention concerning the Abolition of Forced Labor, submitted July 22, 1963 (Ex. K, 88–1).

Convention concerning Employment Policy, adopted by the International Labor Conference at its 48th session, submitted on June 2, 1966 (Ex. G, 89–2).

International Convention on Civil Liability for Oil Pollution Damage, submitted on May 20, 1970 (Ex. G, 91–2).

Vienna Convention on the Law of Treaties, submitted on November 22, 1971 (Ex. L, 92–1).

Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, submitted on May 5, 1972 (Ex. K, 92–2).

Trademark Registration Treaty, submitted on September 3, 1975 (Ex. H, 94–1).

Treaties with the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests and on Underground Nuclear Explosions for Peaceful Purposes, submitted on July 29, 1976 (Ex. N, 94–2).

International Convention for the Prevention of Pollution from Ships, submitted on March 22, 1977 (Ex. E, 95–1).

International Convention on the Elimination of All Forms of Racial Discrimination, submitted on February 23, 1978 (Ex. C, 95–2).

International Covenant on Economic, Social and Cultural Rights, submitted on February 23, 1978 (Ex. D, 95–2).

International Covenant on Civil and Political Rights, submitted on February 23, 1978 (Ex. E, 95–2).

American Convention on Human Rights, submitted on February 23, 1978 (Ex. F, 95–2).

Revised Nice Agreement concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, submitted on January 23, 1979 (Ex. E, 96–1).

Treaty on Maritime Boundaries with the United Mexican States, submitted on January 23, 1979 (Ex. F, 96–1).

Maritime Boundary Agreement with the Republic of Cuba, submitted on January 23, 1979 (Ex. H, 96–1).

Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, submitted on May 3, 1979 (Ex. T, 96–1).

Treaty with the Union of Soviet Socialist Republics on the Limitation of Strategic Offensive Arms and the Protocol (SALT II), submitted on June 25, 1979 (Ex. Y, 96–1).

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, submitted on September 5, 1979 (Ex. EE, 96–1).

Convention with Denmark for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, submitted on September 4, 1980 (Ex. Q, 96–2).

Convention on the Elimination of All Forms of Discrimination against Women, submitted on November 12, 1980 (Ex. R, 96–2).

Convention on the Recognition of Studies, Diplomas and Degrees Concerning Higher Education in the States Belonging to the Europe Region, submitted November 13, 1980 (Ex. V, 96–2).

Protocol Amending the Convention of August 16, 1961 for the Protection of Migratory Birds in Canada and the United States, submitted on November 24, 1980 (Ex. W, 96–2).

Inter-American Convention on Commercial Arbitration, submitted on June 15, 1981 (Treaty Doc. 97–12).

1979 Amendment to Regulation 49(4)(b) of Annex II of the International Convention on Load Lines, submitted on July 27, 1981 (Treaty Doc. 97–14).

Supplementary Convention on Extradition with Sweden, submitted on July 28, 1981 (Treaty Doc. 97–15).

International Convention on the Simplification and Harmonization of Customs Procedures, submitted on February 22, 1982 (Treaty Doc. 97–23).

Agreement with the People's Republic of China with Respect to Mutual Exemption from Taxation of Transportation Income of Shipping and Air Transport Enterprises, submitted on June 16, 1982 (Treaty Doc. 97–24).

Convention with New Zealand for the Avoidance of Double Taxation and with Respect to Taxes on Income, submitted on August 13, 1982 (Treaty Doc. 97–27).

Convention with Australia for the Avoidance of Double Taxation and with Respect to Taxes on Income, submitted on September 14, 1982 (Treaty Doc. 97–28).

B. FOREIGN ASSISTANCE AND RELATED MATTERS

International Security and Development Cooperation Act of 1981

After nearly 11 months of consideration, Congress approved the International Security and Development Cooperation Act of 1981 (S. 1196) on December 29, 1981. This bill, which was the primary foreign aid authorization vehicle for fiscal years 1982 and 1983, included a number of controversial issues. The program funding levels and a discussion of the major provisions are set out below.

AUTHORIZATION OF APPROPRIATIONS

The following table compares the levels authorized by S. 1196 with the amounts recommended by the administration and the sums approved by the House and Senate in their respective versions of the bills:

AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 1982 AND 1983

[By fiscal year, in thousands of dollars]

Title	1982 executive request (March)	1982 executive request (September)	1982 Senate bill	1982 House amendment	1983 House amendment	1982 conference substitute	1983 conference substitute
I—Military:							
FMS	1,481,800	990,900	990,900	550,000	550,000	800,000	800,000
(FMS guarantees) [1]	(2,572,600)	(3,063,500)	(3,085,500)	(3,269,525)	(3,544,525)	(3,269,525)	(3,269,525)
SDAF			(350,000)	150,000	150,000		
MAP	131,400	63,500	31,400	304,375	304,375	238,500	238,500
IMET	47,700	41,976	47,700	47,700	52,745	42,000	42,000
Peacekeeping	19,000	19,000	19,000	19,000	19,000	19,000	19,000
Subtotal	1,679,900	1,115,376	1,089,000	1,071,075	1,076,120	1,099,500	1,099,500
II—ESF	2,581,500	2,598,500	2,548,500	2,688,000	2,738,000	2,623,500	2,723,500
III—Development Assistance:							
Agriculture	727,779	637,500	689,000	747,679	814,222	700,000	700,000
Population	253,370	211,300	216,000	273,370	297,699	211,000	211,000
Health	120,405	104,600	127,905	133,405	145,278	133,405	133,405
Education	109,574	97,700	109,574	109,574	119,326	103,600	103,600
Energy				39,446	42,957		
PVO's/SDA	178,240	155,700	140,889	178,794	194,707	147,200	147,200
S&T	10,000	10,000	10,000				
Subtotal	1,399,368	1,216,800	1,293,368	1,482,268	1,614,189	1,295,205	1,295,205
IFAD	45,000	39,600	45,000	45,000		[2] 40,500	
Sahel	107,500	94,600	102,000	86,558	117,068	86,558	86,558
International organizations	215,000	189,200	229,050	255,650	278,403	218,600	218,600
Trade and development	6,907	6,078	6,907	10,000	10,890	6,907	6,907
Development subtotal	1,773,775	1,546,278	1,676,325	1,879,476	2,020,550	1,647,770	1,607,270
V—Other:							
ASHA	7,500	6,600	12,000	20,000	20,000	20,000	20,000
Narcotics	37,700	36,700	37,700	37,700	41,055	37,700	37,700
Disaster assistance	27,000	23,760	27,000	27,000	27,000	27,000	27,000
Central American refugees				5,000	5,445	5,000	5,000
Subtotal	72,200	67,060	76,700	89,700	93,500	89,700	89,700
VI—Peace Corps	95,000	83,600	105,000	105,000	114,345	105,000	105,000
VII—Operating expenses: (IDCA/AID)	343,632	317,000	330,972	343,632	374,215	335,600	335,600
Grand total	6,546,007	5,727,854	5,826,497	6,176,883	[3] 6,416,730	5,901,070	5,960,570
			[3] —67,600	([3])			
			5,758,897	5,727,854			

[1] FMS guarantees are not authorizations of appropriations. The figures in parentheses represent the principal amount of loans which can be extended under the FMS guarantee program.
[2] Plus up to $139.5 million after fiscal year 1982.
[3] Senate bill had a floor amendment reducing the total by $67.6 million. House amendment had a floor amendment limiting the aggregate for fiscal 1982 to $5,727,854 and for fiscal 1983 to not more than the President's budget.

When the committee met to mark up the fiscal year 1982 foreign aid request in early May 1981, it faced difficult budgetary decisions. President Reagan's revised fiscal year 1982 budget submitted in March called for reductions in nearly every Federal program except for defense activities where substantial increases were recommended. Furthermore, Senate action on the First Concurrent Resolution on the Budget for fiscal year 1982 and Budget Reconciliation (S. Con. Res. 9) resulted in significant cuts in the international affairs budget category. An amendment to S. Con. Res. 9 adopted on March 27 moved $900 million in budget authority from the international affairs account to the agriculture function with the intent that the foreign aid program should absorb this reduction. As passed by the Senate, S. Con. Res. 9 called for a cut of $1.05 billion in the international affairs category, most of which would have to come from the foreign assistance accounts. Although subsequent congressional consideration of the reconciliation measure in June and July softened the required reductions in the international affairs function, when the Foreign Relations Committee marked up the security and development assistance legislation in May, it carefully evaluated the foreign aid budget request within the context of Senate action on the reconciliation measure.

The Foreign Relations panel believed that it could meet the requirements of the budget bill by reducing the President's foreign aid request by $900 million. During markup, Senator Percy, chairman, and Senator Pell, ranking minority member, proposed reductions in five primary programs which, if enacted, would achieve the $900 million cut. These activities included: (a) foreign military sales (FMS) direct credits—cut $490.1 million; (b) grant military assistance program (MAP)—cut $100 million; (c) international military education and training (IMET)—cut $6 million; (d) economic support fund (ESF)—cut $208 million; and (e) development assistance programs—cut $119.6 million. The committee believed that these reductions were the maximum that could be made while still providing for an effective foreign aid program—a program the Senate panel considered an important element to U.S. foreign policy and an activity complementing American defense expenditures.

The committee reported the $5.745 billion authorization for fiscal year 1982 security and development aid programs on May 15. During Senate floor debate in October, amendments raised the program levels to $5.826 billion but a subsequent proposal placed an overall ceiling of $5.759 billion on the amounts authorized in S. 1196. Meanwhile, the House acted on its version of the legislation (H.R. 3566) and approved funding levels for individual programs amounting to $6.177 billion but, like the Senate, placed an overall ceiling of $5.728 billion on money that could be spent under this authorization. (This ceiling figure was identical with the administration's revised budget request issued in September.)

In order to avoid a likely contentious debate on foreign aid the following year (an election year) and to provide more time for committee oversight hearings, the House Foreign Affairs Committee recommended that the legislation also include a foreign aid authorization for fiscal year 1983. As passed by the House, H.R. 3566 contained $6.417 billion for fiscal year 1983, although additional language limited this level to not more than the President's budget for fiscal year 1983, figures which would not be submitted until January 1982.

Conferees settled on a fiscal year 1982 authorization of $5.901 billion, a figure falling between the Senate and House levels before applying the ceilings. Senate conferees also accepted the 2-year authorization proposal contained in the House bill and adopted a fiscal year 1983 authorization of $5.961 billion. This action would essentially freeze foreign aid programs in fiscal year 1983 at their fiscal year 1982 levels with the exception of ESF which received an increase in order to accommodate a higher amount for Pakistan. S. 1196 cleared Congress on December 16 without further change and became Public Law 97-113 when President Reagan signed the legislation on December 29, 1981.

EARMARKED COUNTRY AID LEVELS

The House and Senate each passed bills earmarking specific aid levels for a number of countries. As a general policy decision, conferees agreed to include earmarkings only in those instances where Congress was recommending more assistance than requested by the administration. Members of the conference committee, in most cases, also established the same earmarkings for fiscal year 1983 as they set for fiscal year 1982.

Both bodies earmarked aid levels for Israel and Egypt. The Senate measure, S. 1196, allocated $1.4 billion in foreign military sales (FMS) loans for Israel ($500 million forgiven) and $785 million in economic support fund (ESF). The House bill, H.R. 3566, contained the same amounts except that its figure of forgiven FMS loans was set at $550 million. Conferees adopted the higher House number. Both bills earmarked $750 million in ESF aid for Egypt but neither targeted specific amounts of military assistance. However, in compromise language setting out levels for FMS direct credits, the final bill earmarked $200 million in forgiven military loans for Egypt. Under this same compromise, conferees provided $50 million in forgiven loans for the Sudan. Members anticipated that Egypt would receive an additional $700 million in regular FMS loans and the Sudan another $50 million. As enacted, the bill also earmarked $21 million each for Israel and Egypt in ESF aid in order to restore funds which were reprogrammed away from these accounts in fiscal year 1981.

Other earmarkings included in the final version of the act were: Greece—$280 million in FMS loans (House bill); Cyprus—$15 million in ESF aid (House bill—Senate version earmarked $10 million); Tunisia—$5 million in ESF aid (Senate bill); Costa Rica—$15 million in ESF aid (Senator Dodd amendment); Nicaragua—$20 million in ESF aid (Senator Zorinsky amendment); and Poland—$5 million in ESF aid (Senator Kennedy amendment).

The Senate bill also earmarked ESF money for Turkey ($300 million), Pakistan ($100 million), and Lebanon ($5 million). Although conferees dropped these earmarkings in the final bill, they expressed their intent that Turkey and Pakistan should receive these amounts. In addition, the conference committee recommended $200 million for Pakistan in fiscal year 1983, as proposed by the House. For Lebanon, the final bill included a "sense of the Congress" that it receive $7 million. The House bill reduced military aid for Zaire to $4 million and conferees reached a compromise at $6 million.

MILITARY ASSISTANCE FUNDING

President Reagan's fiscal year 1982 foreign aid budget, presented to Congress in March, contained a large increase for military assistance over the levels provided in fiscal year 1981. The most substantial increase was in foreign military sales (FMS) direct credits where the administration recommended a program nearly triple the size of the previous year. The President requested $500 million in forgiven FMS loans to Israel plus about $1 billion in FMS direct credits (loans at about 3 percent interest rate) for 16 other nations. Among these countries were Egypt, Sudan, Somalia, Kenya, Thailand, El Salvador, and Turkey which the executive branch considered to be either "front-line" states in countering Soviet aggression or important links in providing U.S. access to overseas military facilities. Previously, Israel was the only recipient of FMS direct credits (forgiven loans) although some of these countries had previously received grant assistance under the MAP program. When Congress ordered the phasing-out of MAP activities in the mid-1970's, most U.S. military aid shifted to the FMS guaranteed loan program were extended loans at existing market interest rates to friendly nations wishing to purchase American weapons. Because of the nonconcessional nature of FMS guaranteed loans, levels approved for this program were counted as an off-budget item.

Primarily out of budgetary considerations, the Foreign Relations Committee approved the $500 million in forgiven loans for Israel but altered the other portion of the President's proposal by shifting one-half of the FMS direct credits into the off-budget FMS guaranteed loan category. This formula permitted the committee to recommend an FMS direct credit program $490.9 million below the President's request, setting the budget at $990.9 million. The committee also directed that repayment on the remaining FMS direct credits be forgiven rather than offered as loans at 3 percent interest. The Senate panel believed that this would provide the same economic effect intended by the administration's direct credit proposal.

The Foreign Affairs Committee also revised the FMS budget request, but in a different fashion than the Senate panel. Instead of dividing FMS funding between forgiven direct credits and FMS guaranteed loans, the House committee shifted 25 percent of the direct credits into the grant military assistance program (MAP) and 75 percent into FMS loan guarantees. Because the Foreign Affairs Committee moved more of the FMS request off-budget, its military aid levels fell $628 million below the President's request.

Faced with higher budget deficit projects for fiscal year 1982, President Reagan announced in September additional cuts for Federal programs and recommended an FMS direct credit funding level of $990.9 million, an amount equal to the figure suggested by the Foreign Relations Committee. House and Senate conferees, meeting in December, agreed to a compromise formula for military aid: $800 million in forgiven FMS direct credits for Israel ($550 million), Egypt ($200 million) and the Sudan ($50 million); $238.5 million in MAP funding to provide grant assistance to about 14 nations; and $3.269 billion in off-budget FMS guaranteed loans, part of which would be offered to countries in conjunction with the military grants. This compromise

gave the President a slightly higher (about $200 million more) military aid program than requested in September, but because Congress had altered somewhat the country allocations, some nations received less than the Executive's budget called for, particularly in the area of concessional aid.

SPECIAL DEFENSE ACQUISITION FUND

The administration requested authority to establish a Special Defense Acquisition Fund (SDAF) from which the executive branch could draw in order to procure U.S.-produced weapons commonly purchased by foreign nations. Proposed as a revolving fund, the SDAF, according to the administration, would provide the means for the United States to respond quickly to arms requests from friendly nations without taking such weapons from the stocks of the U.S. Armed Forces. The President proposed that the SDAF be capitalized from sources already authorized and stated that the fund would not require the authorization or appropriation of new funds.

Although the Foreign Relations Committee agreed that there might be a need for the SDAF, it modified the President's proposal to ensure sufficient congressional oversight. A committee amendment limited the size of the fund to $350 million in fiscal year 1982 and $700 million in fiscal year 1983 and required a report from the executive branch estimating procurements likely to occur during the upcoming year. During Senate floor debate on S. 1196, Senator Tower introduced an amendment allowing the Senate Armed Services and Foreign Relations Committees to maintain joint jurisdiction over the SDAF. The amendment shifted regulation of the SDAF size from the Arms Export Control Act to title 10 of the United States Code, statutes under the jurisdiction of the Armed Services panel. Senator Tower and Senator Percy agreed that the Armed Services Committee would control the annual ceiling of the SDAF and the items procured with the fund's resources, while the Foreign Relations Committee would oversee the transfer to foreign nations of American arms purchased by the SDAF. The Tower amendment passed on a voice vote. Senator Percy also successfully offered an amendment on behalf of Senators Kasten and Hatfield providing that funds for the SDAF shall only be available to the extent they are provided (but not appropriated) in advance in appropriation acts.

The House bill also authorized the establishment of the SDAF but required that the fund could only use such amounts as would be annually authorized and appropriated. For fiscal year 1982 and fiscal year 1983, the House recommended an authorization of $150 million. House and Senate conferees adopted the basic language in the Senate provision after reducing the SDAF ceiling to $300 million in fiscal year 1982 and $600 million in fiscal year 1983.

LEASES OF DEFENSE ARTICLES TO FOREIGN COUNTRIES

Prior to markup by the Foreign Relations Committee of S. 1196, the General Accounting Office (GAO) reported that the administration had been utilizing existing authority to lease defense property to foreign nations even though the intent of this authority had been to permit leases of such material to domestic corporations and state and local governments. Some members of the Foreign Relations Com-

mittee regarded this as a means to circumvent the conditions and restrictions of the Foreign Assistance Act and the Arms Export Control Act in supplying military assistance. Therefore, Senator Zorinsky proposed an amendment which would bring all such leases under the authority of these two acts. As adopted by the committee, the new leasing authority would provide for full recovery of all costs incurred by the U.S. Government under the lease arrangements. The provision would also require prior congressional notification of any lease lasting more than 1 year and permit legislative disapproval of leases in excess of specified amounts.

On the Senate floor, Senator Tower offered a provision keeping portions of the Foreign Relations Committee's language requiring prior congressional notification on certain leases, but retaining the authority to lease defense equipment under the auspices of title 10, United States Code. This would also have the effect of maintaining jurisdiction of the Armed Services Committee over such leases. Senator Tower argued that the Armed Services Committee would be the best judge of what equipment was in excess of current U.S. military needs, and therefore, available for leasing arrangements. His amendment also removed the legislative veto provision contained in the Zorinsky language. An attempt to table the Tower amendment failed on a 33–43 vote, and subsequently, the provision was adopted by voice vote.

The Foreign Affairs Committee, during its markup of H.R. 3566, also approved a provision concerning the leasing of defense equipment to foreign nations. The language adopted by the House panel was very similar to the original Zorinsky text including the establishment of the leasing authority under the requirements of the Foreign Assistance Act or the Arms Export Control Act. At conference, members accepted the provision contained in the House bill.

SPECIAL REQUIREMENT FUNDS

The administration's March foreign aid budget included an authorization request for a special requirement fund of $250 million in ESF and $100 million in military assistance. The executive branch argued that these unallocated contingency accounts were needed so that the President could respond immediately in the event of a foreign crisis without having to resort to more time-consuming and sometimes disruptive means of supplying friends with emergency aid.

For budgetary reasons, the Foreign Relations Committee rejected both special requirement funds. However, in order to meet some concerns of the administration, the committee increased from $50 million to $100 million the President's authority under section 506 of the Foreign Assistance Act of 1961 to make drawdowns on U.S. stocks to supply foreign nations with American weapons during an emergency. This increase did not require the authorization of new funds since any utilization of the section 506 authority must be paid back to the appropriate account from existing funds or from money subsequently provided in supplemental appropriations.

During Senate floor consideration of S. 1196 during October, Senators Kasten and Inouye introduced an amendment providing for a $75 million ESF contingency fund. In the September revised foreign aid budget, the administration had reduced the ESF and military special requirement funds to $100 million and $25 million, respectively. Al-

though opponents of the amendment argued that the United States should not be increasing unspecified levels of foreign aid at a time when funds for domestic programs were declining, the Kasten-Inouye proposal passed by voice vote.

The House Foreign Affairs Committee, during its markup on H.R. 3566, included $100 million for an ESF contingency fund and $25 million for unallocated military assistance. The conference agreement adopted the Senate language for the ESF special requirement fund. Conferees also approved the MAP contingency account but stipulated that funds for the program would have to come out of the overall MAP authorization of $238.5 million, an amount that also supported grant military aid to several countries and windup costs for previous MAP programs. The increase in the drawndown levels under section 506 of the Foreign Assistance Act of 1961 provided for in the Senate bill was reduced to $75 million.

PEACE CORPS AUTONOMY

Under the sponsorship of Senator Cranston, the Foreign Relations Committee, during markup of S. 1196, voted to separate the Peace Corps from its parent agency, ACTION, and establish it as an independent organization. Proponents of this amendment argued that even though the Peace Corps had become an autonomous unit within ACTION in 1979, it still did not have direct control over important functions, such as volunteer recruitment. Moreover, these members claimed that no definition existed as to the degree of authority the ACTION Director held over the Peace Corps. The issue, from the standpoint of those supporting the Cranston amendment, was exacerbated in early 1981 when President Reagan nominated Thomas Pauken, a former Army intelligence officer in Vietnam, to head ACTION. Links between the Peace Corps and U.S. intelligence activities has been a long-standing sensitive issue and Senator Cranston wanted to put as much distance as possible between the Agency and intelligence connections.

Despite providing for Peace Corps autonomy in S. 1196, the Foreign Relations Committee also reported S. 1015, a bill specifically meant to establish the Peace Corps as an independent agency. When neither of these bills moved quickly to the Senate floor, Senator Cranston offered the Peace Corps language as an amendment during Senate consideration of the fiscal year 1982 State Department authorization measure (S. 1093). After opponents of the Cranston amendment lost a procedural vote 45–52, the full Senate approved the separation of the Peace Corps from ACTION on June 7 by voice vote as part of S. 1093. By October, when the Senate took up the foreign aid bill, S. 1093 had stalled and Senator Hatch offered an amendment to remove the Peace Corps title from S. 1096. This proposal lost on a 39–48 vote.

The House bill (H.R. 3566), as reported by the Foreign Affairs Committee, contained a similar provision establishing the Peace Corps as an independent agency. Like the Senate, the House turned back an attempt to remove this section from H.R. 3566 on December 9 by a vote of 155-258. At conference, only technical differences existed between the Senate and House-passed text regarding the Peace Corps and were easily worked out.

ABOLISHMENT OF IDCA

Pursuant to Reorganization Plan No. 2 of 1979, the International Development Cooperation Agency (IDCA) was established on October 1, 1979, in order to coordinate and consolidate the administration and supervision of all U.S. economic foreign assistance activities. This included oversight of U.S. bilateral development aid programs, food aid, the Peace Corps, and multilateral assistance through contributions to international development banks and international organizations. During committee markup on S. 1196, Senators Percy and Pell proposed an amendment that would abolish IDCA and return coordination of U.S. development aid activities to pre-1979 status when similar functions were performed by the more informally structured Development Coordination Committee. The two ranking members of the committee argued that IDCA had not performed as expected and that it had simply become another layer of bureaucracy. The Senators also expressed concern over President Reagan's decision to utilize the AID Administrator to also serve as the Director of IDCA. Since the AID Administrator is responsible for American bilateral development aid activities, Senators Percy and Pell felt his dual role with IDCA might lead to a conflict of interest in matters concerning multilateral programs.

The House-passed bill did not contain a provision regarding the future of IDCA and conferees decided to eliminate the Senate language. However, the conference report noted that members did not expect IDCA to operate as a separate layer of Government bureauracy and expected the President to name an individual to head IDCA as soon as possible.

NUCLEAR NONPROLIFERATION AND AID TO PAKISTAN

In anticipation of entering into a long-term aid agreement with Pakistan sometime in 1981, the administration's draft foreign aid bill for fiscal year 1982 modified existing language in section 669 of the Foreign Assistance Act which effectively blocked U.S. assistance to Pakistan. Sections 669 and 670 of the Foreign Assistance Act of 1961 barred the President from furnishing aid to countries which were involved in the transfer of nuclear enrichment materials (section 669), participated in the transfer of nuclear reprocessing materials, or, in the case of a non-nuclear weapons state, detonated a nuclear device (section 670). Section 670, also known as the Glenn amendment, contained a Presidential waiver for reasons of national security. Section 669, recognized as the Symington amendment, required the President, prior to any waiver of its restrictions, to certify that he had received reliable assurances from the country in question that it was not pursuing a nuclear weapons program even though it had engaged in the transfer of nuclear enrichment material. The administration considered this later requirement overly restrictive and asked Congress to bring the Symington amendment waiver into compliance with the waiver contained in section 670. This then would permit the President to extend aid to Pakistan by issuing a national security waiver. The administration considered Pakistan to be a "front-line" nation in countering Soviet aggression in Afghanistan.

The Foreign Relations Committee discussed the administration's request at length and considered several alternative proposals. Senator Glenn offered language which expressed congressional willingness to consider aid to Pakistan once Congress received four pieces of information: (1) a full disclosure of the administration's nuclear nonproliferation policy; (2) a certification that in the event of a nuclear detonation by either Pakistan or India, aid to the responsible nation would be terminated immediately; (3) a complete description of the proposed Pakistan aid package; and (4) a justification for aid to Pakistan.

Senator Percy countered with a substitute amendment which incorporated the executive branch's modification to the waiver provision in section 669 but which directed the President not to use the waiver authority in section 670 if a country detonated a nuclear device. Senator Glenn responded by modifying his own proposal to include a $100 million ESF authorization for Pakistan in fiscal year 1982 once Congress had received the four items listed above. Following further consultation, Senator Percy submitted compromise language which the committee adopted on a 10–7 vote. The Percy text added a new section 620E to the Foreign Assistance Act which: permitted the President to waive the restrictions of the Symington amendment as they applied to Pakistan; earmarked $100 million in ESF for Pakistan; required a report from the administration by October 1, 1981, detailing the President's nuclear nonproliferation policy and setting forth the entire U.S. aid package to Pakistan; and stated that the President should not use his waiver authority under section 670 if Pakistan or India detonated a nuclear device.

During floor debate on S. 1196, the Senate further modified the committee language. Senator Glenn proposed an amendment limiting waiver of the conditions in section 669 for Pakistan to 6 years (the anticipated length of the U.S. aid program) and mandating the termination of aid if Pakistan or India detonated a nuclear device. The Glenn amendment passed on a 51–45 vote. Subsequently, Senator Helms successfully proposed that the United States bar aid to any non-nuclear weapons state that explodes a nuclear device. An amendment by Senator Hatfield to remove the $100 million earmarked for Pakistan failed on a 28–45 vote.

The House bill contained a comparable, but different approach to this issue. In May, the Foreign Affairs Committee deferred action on the administration's request insisting that it receive more information before proceeding on aid to Pakistan. On the eve of House consideration of the foreign aid bill in December, the Foreign Affairs Committee met and modified the President's draft language. Although the committee agreed to alter language in the Symington amendment so that a waiver of these requirements would comply with the waiver in section 670, the House panel also imposed a legislative veto over any Presidential waiver concerning a nation which has transferred or detonated a nuclear device. In addition to the $100 million ESF authorization for fiscal year 1982, the provision also included fiscal year 1983 authorizations for Pakistan of $200 million in ESF, $275 million in military loans, and $0.8 million in military training. Representative Solarz, primary sponsor of the provision, argued that this text strengthened U.S. nonproliferation policy and would offer Pakistan a strong incen-

tive not to take the step of exploding a nuclear weapon. The full House approved the committee amendment and added it to the text of H.R. 3566.

Conferees adopted much of the Senate language with three major changes. In addition to the Senate text which cut-off aid to any non-nuclear weapons state which explodes a nuclear device, the conference committee inserted a similar aid termination for any nations involved in a transfer of a nuclear device where the recipient was a non-nuclear weapons state. Furthermore, conference language provided that any Presidential certification waiving the prohibitions on assistance concerning the transfers, receipts, or detonations of nuclear devices would expire at the end of a 30-day period unless Congress adopted a joint resolution authorizing the waiver to continue in force. Finally, the conference panel provided for a congressional veto over waivers issued in the case of transfers of nuclear enrichment or reprocessing equipment.

AID TO ARGENTINA

Since 1978, U.S. aid and arms sales to Argentina had been prohibited due to alleged human rights violations by the Argentine Government. As part of the fiscal year 1982 foreign aid draft bill, the administration sought to repeal this prohibition (section 620B of the Foreign Assistance Act of 1961) claiming that human rights conditions had improved in Argentina.

Although the Foreign Relations Committee recognized that the human rights situation in Argentina may have improved, it felt that problems still existed and therefore, refused to repeal the prohibition without certain conditions. Senator Pell offered a provision permitting the President to lift the restriction if he certified to the Congress that Argentina had made significant progress in complying with internationally recognized human rights standards. Specifically, the Pell amendment required the President to determine that Buenos Aires had made every effort to account for persons listed as "disappeared" and to release or bring to trial those prisoners held under the authority of the National Executive Power (PEN).

Senators Percy and Zorinsky submitted a substitute proposal which repealed section 620B of the Foreign Assistance Act but, like the Pell language, required a certification from the President noting significant progress in Argentina's human rights policy before lifting the aid and arms embargo. This text expressed concern over the situation of "disappeared" Argentine citizens as well as those held under the PEN but only required the President to "pay particular attention" to these issues rather than be bound by them in making his certification. The committee approved the Percy-Zorinsky proposal on an 11–1 vote.

However, a Senate floor amendment submitted by Senators Percy, Kassebaum, and Lugar deleted the committee language concerning citizens who had disappeared and those held under the PEN and substituted a non-binding "sense of the Congress" that Congress welcomed recent actions taken to resolve the situation of those held under the PEN and that it hoped Argentina would continue to make future progress. Under this language, the President was still required to certify to Congress that significant progress concerning human

rights had been made by the Argentine Government but it no longer contained the requirement to take into consideration the two more specific issues when making the certification. The Senate approved this amendment by voice vote.

The Foreign Affairs Committee also put aside the President's request to simply repeal the aid and sales prohibition and instead adopted language very similar to that reported out by the Foreign Relations Committee. Conferees adopted most of the House-passed language but incorporated the "sense of the Congress" provision, as added by the Senate, into the final language. In addition, the final text directed the President to consider the issues of "disappeared" citizens and those held at the disposition of the PEN in making his determination whether to resume aid and arms sales.

AID TO EL SALVADOR

Out of concern over growing U.S. involvement in the conflict in El Salvador, Congress extensively debated placing restrictions on American foreign aid to that nation during consideration of S. 1196 and H.R. 3566. The President's budget included $26 million in military assistance for El Salvador in fiscal year 1982.

The Foreign Relations Committee adopted an amendment offered by Senator Dodd which conditioned the continuation of U.S. military aid and sales to El Salvador on five specific issues concerning human rights, control over its armed forces, economic and political reforms, free elections, and a settlement to the existing conflict. The provision required a Presidential certification regarding these five matters prior to the obligation of any military aid and sales; which could occur frequently throughout the year, and again every 6 months while El Salvador continued to receive U.S. assistance. The committee felt that rather than hindering the U.S.-backed centrist group in El Salvador, the amendment would strengthen the ability of President Duarte's government to undertake necessary reforms in that nation. The committee also noted that the conditions set out in the provision were similar to the stated administration objectives in El Salvador.

Although numerous substitute and perfecting amendments to the committee-reported language were offered during Senate floor debate on S. 1196, discussion focused on two basic proposals. Senators Lugar and Helms, hoping to modify the conditions and restrictions placed on U.S. aid to El Salvador, separately proposed amendments which expressed the non-binding, "sense of the Congress" that U.S. aid should be used to encourage improvement in a number of areas including human rights, free elections, economic and political reforms, and a peaceful settlement to the internal strife. These provisions also required a report from the President within 6 months describing progress made in achieving these objectives. This modification to the committee-reported language, however, did not contain language terminating U.S. aid to El Salvador if these conditions could not be met or if the President failed to submit his certifications at the appropriate times.

Senator Pell introduced an alternative proposal which modified the committee text in two basic respects. The Pell amendment slightly softened the original language concerning the extent to which human

rights conditions had improved and added that the performance of the El Salvador Government to comply with the various conditions should be judged only "to the extent not precluded by forces outside its control." Senator Pell's substitute also limited the requirement for a Presidential certification to every 120 days (3 times per year) rather than the committee's more open-ended language. Some members had complained that the original committee version would have required constant certifications from the President and placed an unreasonable burden on the Chief Executive's handling of United States-El Salvador relations. Later in the debate, Senator Pell went even further to satisfy these concerns by modifying his amendment to require a certification only once every 6 months.

The first vote on aid to El Salvador occurred on September 23 when the Senate approved the modified Pell provision as a perfecting amendment to the Lugar amendment 54–42. The following day, the Senate took up the Helms proposal which stood as a substitute amendment for the Lugar language, as perfected by the Pell provision. Senator Percy described the difference between the two pending proposals as a choice between a sense of the Senate resolution concerning aid to El Salvador, as suggested by Senator Helms, or specific binding conditions as now expressed in the Lugar amendment, as perfected by Senator Pell. The Helms substitute lost 47–51 (while a subsequent vote on a procedural move to block reconsideration of the Helms language passed 52–46). The Senate then adopted the Lugar amendment, as perfected, by voice vote.

Later during the debate, the Senate added two additional provisions regarding El Salvador. Senator Hatfield introduced an amendment requiring a report from the President within 90 days containing the views of all major parties to the conflict in El Salvador and the views of other Latin American and European nations concerning prospects for a peaceful settlement. The Senate approved the Hatfield amendment by voice vote. Senator Helms then offered a provision which would prohibit the United States from supporting in any manner the land reform program in El Salvador. Current law blocked U.S. funding of compensation or planning for compensation within the Salvador land reform activities but these conditions would be removed from restrictions on U.S. aid to El Salvador for the next fiscal year. Senator Helms believed that the Senate should not only retain current law, but that it should adopt his language which would broaden the existing restriction. Substitute language was offered by Senator Percy restating current limitations on use of U.S. aid for compensation but eliminating the broader applications included in the Helms amendment. By voice vote, the Senate adopted the Percy substitute.

The House bill also contained conditions on aid to El Salvador, including two provisions not addressed in the Senate bill. The first was a non-binding "sense of the Congress" expressing the objectives of U.S. assistance to El Salvador, with particular reference to the utilization of economic aid for revitalizing the Salvadoran private sector. Conferees adopted the House language. The House version also recommended that Salvadoran refugees receive extended voluntary departure status. Conference committee members modified the House text stating a "sense of the Congress" that the President should continue to review, on a case-by-case basis, petitions for such status by

those citizens claiming to be the subject of persecution in their country.

Both bills included conditions on military aid and sales to El Salvador. Conferees approved much of the Senate language on this issue with some changes. A more detailed introductory policy statement found in the House version was incorporated into the final language. The Senate reference to judging the performance of El Salvador "to the extent not precluded by forces outside its control," which Senator Pell added to the committee language, was moved out of the subsection outlining the conditions for U.S. aid and into the broader introductory policy statement. Conferees also adopted the House requirement that the first certification be submitted within 30 days after enactment of the act, and every 6 months thereafter. Members of the conference committee also modified words and phrases contained in the list of conditions, as passed by the Senate. In addition, conferees approved the Hatfield and Lugar amendments contained in the Senate bill.

REPEAL OF THE CLARK AMENDMENT AND ANGOLA

The draft bill submitted in March by the administration included a request to repeal the so-called Clark amendment. This provision had banned U.S. aid related to military or paramilitary activities in Angola without specific congressional approval since 1976, out of concern that U.S. assistance might eventually lead to American military involvement in that country's conflict. The President stated that he did not have any immediate plans to support any group in Angola with American aid but wanted to eliminate as many country-specific prohibitions as possible in order to provide adequate flexibility in the conduct of foreign policy.

The Foreign Relations Committee agreed to repeal the Clark amendment but not without imposing certain conditions on future aid to Angola. The Senate panel did not feel this was the proper time to lift restrictions unconditionally on U.S. activities in Angola as it might be misinterpreted by some African leaders and undermine American efforts to achieve a peaceful settlement of the Namibian situation. Although the committee approved repeal of the Clark amendment, it stated that it did not endorse assistance for military or paramilitary operations in Angola. The Senate panel conditioned aid for such purposes on receipt from the President of a determination that the assistance is in the national interest, that concrete steps have been made in achieving Namibian independence, and that the proposed aid would not undermine these efforts.

On the Senate floor, Senator Kassebaum, who had opposed the Senate-committee language, submitted an amendment which repealed the Clark amendment without imposing any conditions on future American aid. The Senator felt that the Clark amendment may have been significant at some point in previous years but that circumstances had changed, removing any substantive reasons for its retention. Senator Kassebaum further cautioned that any linkage between repeal of the Clark amendment and a settlement in Namibia would only act as an incentive for the Angolan Government to withhold any cooperation from international efforts to achieve such a settlement.

Before taking up the Kassebaum proposal, Senator Tsongas, one of the chief architects of the committee language, became concerned that a substitute amendment he had drafted would not receive adequate full Senate consideration or a vote. As a result, the Senator reluctantly offered his language concerning Angola as a perfecting amendment to an unrelated provision pending before the Senate. The Tsongas text would have repealed the Clark amendment on March 31, 1983, or at a time when the President determined "that an effective cease-fire is in place in Namibia and that preparations for internationally supervised elections in Namibia are in progress," whichever occurs first. However, the Senate tabled the Tsongas perfecting amendment, 66–29, and later approved the Kassebaum amendment by voice vote.

The House bill did not contain a provision regarding the Clark amendment. The Foreign Affairs Committee voted to reject the President's request for repeal of the provision, and during House floor debate, Representative Derwinski withdrew his proposal to strike the Clark amendment fearing that the issue might lead to defeat of the entire bill. Keeping this in mind, the administration did not press hard for adoption of the Senate language at the House/Senate conference meeting, and conferees removed the text from the final bill.

ASSISTANCE TO CHILE

In 1976, Congress passed a provision prohibiting all U.S. security assistance and arms sales to Chile due to alleged human rights violations by the Chilean Government. Calling the restriction inappropriate, ineffective, inflexible, and counter-productive, Senator Helms offered an amendment to repeal this prohibition during Senate floor debate on October 22. Senator Helms charged that the restrictions were not the best way to pursue improved standards of human rights in Chile, and that in fact, this provision had not helped the victims of human rights violations. The Senator also argued that the existing law only hurt the United States by altering traditional trading patterns to the extent that prior Chile trade, normally carried out with U.S. firms, was being diverted to other sources. He also charged that the embargo undermined the mutual security aspect of the Rio Pact.

Opponents of the Helms amendment countered that human rights conditions in Chile had not improved and recalled the continuing lack of cooperation from the Chilean Government in U.S. efforts to bring to justice the 1976 assassins of Chile's former Ambassador to the United States, Orlando Letelier, and U.S. citizen Ronnie Moffitt.

A motion to table the Helms language lost by a vote of 30–57, and immediately Senator Percy introduced a perfecting amendment to the original Helms text. The Percy language permitted the repeal of restrictions on aid to Chile, but only after the President certified to the Congress that the Chilean Government had made significant progress in complying with accepted human rights standards and that it was not aiding or abetting terrorists, and that the assistance would be in the national interests of the United States. The provision also expressed a "sense of the Congress" that the Government of Chile should take all necessary steps to bring to justice those involved in the Letelier

and Moffitt murders. Viewed as a compromise position between existing law and the Helms proposal, the Senate approved the Percy perfecting amendment 86–0.

The House bill did not include a section regarding aid to Chile. Conferees approved the Senate language but modified it so that the provision concerning the Letelier and Moffitt murders became one of the binding matters upon which the President must certify rather than being an expression of the Congress.

CONDEMNATION OF LIBYA

During Senate floor debate on October 21, Senator Hart offered an amendment prohibiting the importation of crude oil from Libya, effective 90 days after the date of enactment of S. 1196. The provision also called upon the President to seek additional support from all nations in combating the spread of international terrorism. Senator Hart expressed grave concern over the rapid spread of international acts of terrorism and charged the Libyan Government, led by Colonel Qadhafi, with being one of the world's principal sources promoting such violence. The Senator pointed out that oil imports from Libya represented only 5 percent of total U.S. oil imports and just 2 percent of American oil consumption. For the embargo to be effective, Senator Hart emphasized that the United States would also need the support and participation of its friends and allies.

Although Senator Percy agreed with the objectives of the Hart amendment and joined the Senator in condemning Libya's support for terrorist activities, he believed this issue was far too serious and important to be dealt with at such short notice and without a full and complete analysis through the Senate hearing process. Senator Percy argued that the overall consequences of such an action were unclear and required further study. Senator Mathias also expressed concern over the possible danger to American citizens residing in Libya as a result of a swiftly imposed U.S. embargo on Libyan oil.

In a compromise move, Senator Percy offered a substitute amendment for the Hart proposal which condemned Libyan support for terrorist activities and called on the President to investigate fully bilateral and multilateral steps which could be taken, including a possible oil embargo, to bring pressure on the Libyan Government to cease such activities. In response to the objections voiced by Senator Mathias and a proposal by Senator Kassebaum, Senator Hart offered perfecting language to his amendment which provided an additional 90 days prior to imposition of the oil embargo if the President certified to Congress that such a delay was necessary in order to protect the lives of American citizens.

A motion by Senator Percy to table the Hart amendment, as perfected, failed on a 33–60 vote. However, in a subsequent vote, the Senate approved the Percy substitute amendment 47–44. Following this, the Hart amendment, which now contained the language proposed by Senator Percy, passed on a vote of 87–3. Two proposals concerning Libya were raised on the House floor by Representatives Wyden and Markey on December 9. Following a modification to the Markey language, which made the text virtually identical to the Senate provision, the House adopted the measure on a 356–46 vote.

OTHER ISSUES

During debate on the International Security and Development Cooperation Act of 1981, Congress considered a number of other issues. Among those which were passed by the Senate and adopted in the final Act were:

—a provision initiated by Senator Glenn during committee action requiring more stringent reporting to Congress concerning hostilities which might endanger the lives or property of U.S. personnel performing defense services overseas.

—an amendment offered in committee by Senator Glenn removing the ceiling of $100 million for commercial arms exports.

—a provision reducing the congressional prenotification requirement on third country arms transfers and FMS sales from 30 to 15 days in cases concerning members of NATO, Australia, Japan, and New Zealand. The administration sought elimination of any prenotification requirement and legislative veto for these countries.

—a section authorizing $130 million for fiscal year 1982 and $125 million for fiscal year 1983 in addition to war reserve stockpiles overseas. An amendment by Senator Hayakawa on the Senate floor raised the authorized amount from $100 million, as requested by the administration and recommended by the Foreign Relations Committee, to $160 million in fiscal year 1982. The House bill proposed $100 million for fiscal year 1982 and $125 million for fiscal year 1983.

—a provision, as drafted by the House Foreign Affairs Committee, which modified existing law concerning the authority to assign U.S. Armed Forces personnel overseas to manage security assistance programs. The administration had requested the repeal of any numerical ceiling on the number of personnel assigned to a country. The Senate bill, with modification, accepted this proposal but the House language, which was accepted by conferees, kept a ceiling of six persons except in those countries were Congress specifically authorized additional personnel.

—an amendment introduced by Senator Zorinsky during Senate floor debate requiring the President to utilize 15 percent of ESF money for commodity import programs for use in financing the purchase of U.S. agricultural products.

—a provision sponsored by Senator Kennedy providing up to $5 million to assist developing countries improve or establish programs concerning infant feeding practices.

—an amendment offered by Senator Biden during committee consideration of S. 1196 prohibiting use of any funds by AID for biomedical research relating to abortion or involuntary sterilization as a means of family planning.

—a measure introduced by Senator Tsongas in the Foreign Relations Committee providing $4 million in scholarships for South African students. The original Tsongas language and a similar House amendment had provided $5.7 million for this purpose.

—an amendment introduced in committee by Senator Percy earmarking $500,000 for support of the U.N. Decade for Women.

—a provision, initiated by Senator Pell in committee markup, directing the President to try and channel not less than 16 percent of development and disaster assistance through private voluntary organizations (PVO's) during fiscal years 1982, 1983, and 1984. The text also set 12 percent as a minimum that would be available for these groups during this period. The original language submitted by Senator Pell earmarked the higher 16 percent figure for fiscal year 1982.

—a section establishing authorization during fiscal years 1982 and 1983 for international organizations and earmarking specific amounts or a percentage of the account, whichever is less, for various organizations. The Foreign Relations Committee authorized $229 million for international organizations during fiscal year 1982, including an earmarking of $45 million for UNICEF, $134.5 million for UNDP (Senator Mathias amendment), and $10 million for the U.N. Environment Program (Senator Pell amendment). Senator Kasten offered an amendment deleting these and other earmarkings during Senate floor debate charging that such specificity over large portions of an account

might jeopardize funding of other organizations. If the appropriation fell below the authorized amount, the Senator argued, earmarked programs would have to be funded at the designated levels and perhaps result in no additional money available for other unearmarked activities in the account. Senator Percy suggested a compromise whereby the organizations would receive the earmarked levels if the full $229 million was appropriated or the corresponding percentage, proportionate to the original earmarking, if the appropriation fell short. Conferees set the international organization authorization at $218.6 million and, with some modification, adopted the Senate earmarkings and appropriate percentage formula.

—an amendment by Senator Chiles, approved by the Foreign Relations Committee repealing an existing prohibition on the use of funds in support of spraying marijuana with paraquat and other herbicides. This provision, which was similar in intent to an administration request, also required the Secretary of State to notify the Secretary of Health and Human Services of countries using paraquat in narcotics eradication efforts and instructed the HHS Secretary to monitor the impact on the health of individuals using such marijuana.

—a provision, recommended by Senator Dodd during committee discussions, requiring additional information to be included in certain reprogramming requests from the executive branch submitted to Congress pursuant to section 634A of the Foreign Assistance Act of 1961.

—a section, much of which originated from a Senate floor amendment offered by Senator Chiles, concerning U.S. aid to Haiti. The conference agreement recommended up to $15 million in development assistance for Haiti, conditioned such aid on a Presidential determination that Haiti is acting to prevent illegal emigration, and permitted certain military aid and training in support of Haitian efforts to halt such illegal emigration.

—a provision, prompted by a Senate floor amendment by Senator Mitchell and a Foreign Affairs Committee recommendation, reaffirming congressional support for previously enacted statutes promoting international standards of human rights.

—an amendment, sponsored by Senator Pressler, requiring a comprehensive report from the President regarding his approach to foreign assistance.

—a provision, introduced by Senator Proxmire and unanimously adopted on the Senate floor, 92–0, finding that the Soviet Union is in arrears on its payments to the United Nations for peacekeeping operations and expressing a sense of the Congress that the President should seek diplomatic means to obtain payment.

—a measure, offered in the Senate by Senator Moynihan and in the House by Representative Ireland, directing the President to consider, in making his country allocations for foreign assistance, whether a country which had attended the meeting of Ministers of Foreign Affairs of nonaligned nations on September 25 to 28, 1981, has disassociated itself from the final communique issued by such meeting.

—an amendment, initiated by Senator Boschwitz during committee markup and later modified by Senator Kennedy on the Senate floor, expressing a "sense of Congress" regarding the situation in Lebanon and outlining objectives of U.S. policy. The House bill contained similar language, but with some changes, conferees approved the Senate text.

—a provision, sponsored by Senator Humphrey during Senate floor debate and Representative Leach in the House, condemning the use of toxins, or biological or chemical agents in Laos, Kampuchea, and Afghanistan and calling on the President to work through the United Nations to bring an end to this situation. The House text also directed the President to place the highest priority on obtaining further evidence regarding the use of such agents, reiterated its concern over the Sverdlovsk anthrax outbreak in the Soviet Union, and stressed that the negotiation of a chemical weapons agreement should receive high priority. Conferees adopted the House language.

—an amendment, initiated by Senator Glenn during Senate debate on S. 1196, expressing a "sense of the Congress" regarding the grave danger represented by the spread of international terrorism and that the United States should take all necessary steps to ensure that no U.S. citizens are acting in the service of such terrorism. Representative Moffett offered an identical provision during House floor consideration.

APPROPRIATIONS

For the first time in 3 years, Congress approved a foreign assistance appropriations bill (Public Law 97–121) rather than funding the program under a general continuing appropriation resolution as occurred in fiscal years 1980 and 1981. H.R. 4559, received final congressional action on the last day of the 97th Congress, 1st session (December 16, 1981), providing the following amounts for programs authorized under the International Security and Development Cooperation Act. In addition, the Supplemental Appropriation Act, 1982 (Public Law 97–257) included $55.5 million for activities authorized by Public Law 97–113. The following chart lists these amounts.

PROGRAMS

	(Millions of dollars)
Military:	
Grant military assistance	$178.5
Grant military education and training	42.0
FMS credit financing	800.0
(FMS aggregate ceiling)	(3,083.5)
Peacekeeping operations	14.0
Subtotal	1,034.5
Economic support fund	2,576.0
Development:	
Bilateral:	
Agriculture	700.0
Population	211.0
Health	133.4
Education	103.6
Energy	137.2
Subtotal, bilateral	1,285.2
Trade and development	6.9
Sahel	93.8
International organizations	215.4
IFAD	0
Subtotal, development	1,601.3
Other:	
ASHA	20.0
International narcotics	36.7
International disaster	27.0
Subtotal	83.7
Peace Corps	105.0
Operating expenses	331.0
Total	5,731.5

Overseas Private Investment Corporation Amendments Act of 1981

On April 7, 1981, the executive branch submitted proposed legislation to amend the Foreign Assistance Act to extend the operation authority of the Overseas Private Investment Corporation and make other revisions in OPIC's statute.

The major provisions of the draft legislation extended OPIC's operating authority by 4 years, to September 30, 1985; deleted the statu-

tory per capita GNP country ceiling above which OPIC could not assist U.S. firms; modified the membership of OPIC's governing board; expanded OPIC coverage to include losses due to "civil strife" in addition to existing coverage for war, revolution and insurrection; deleted existing language forbidding OPIC support for investments in citrus, palm oil, sugar and copper projects; and terminated the authority for OPIC's Direct Investment Fund to make direct loans to support smaller U.S. firms.

In the House, H.R. 3136 was reported by the Foreign Affairs Committee on July 23, 1981 (H. Rept. 97–195). The bill as reported differed from the executive branch's recommendation in two major respects: the authority for the OPIC Direct Investment Fund (DIF) was continued and the small business orientation of the DIF reemphasized, and the per capita GNP country ceiling for OPIC activities was increased from $1,000 to $2,950, rather than being removed entirely. The authority to issue the "civil strife" coverage was granted as well as the extension of OPIC's basic authority and deletion of the specific prohibitions against support for citrus, palm oil, sugar and copper loans. A floor amendment, which would direct OPIC each year to return 25 percent of its net income to the Treasury, after expenses and reserves had been deducted until $106 million had been received, was agreed to. The bill passed the House, as amended, on September 22.

In the Senate, Senator Percy introduced the proposal on behalf of OPIC (S. 993) on April 10 and the bill was the subject of a hearing by the Foreign Relations Committee on April 30.

However, the extension of the authority of OPIC was included as Title V of S. 1196, the International Security and Development Cooperation Act of 1981. S. 1196 was reported (S. Rept. 97–83) on May 13, 1981 by the committee. The main purpose of S. 1196 was to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act; the bill also authorized funds for the Peace Corps and OPIC's extension.

The Senate section on OPIC was basically the same as the House passed bill except for five major provisions: the Senate bill had no OPIC payback provision; the administration's proposal to terminate DIF authority was accepted; one amendment by Senator Mathias was included which would require OPIC to consider whether an investment would be made in the absence of OPIC support; and a second Mathias amendment required OPIC to refuse to support any investment that was the subject of host country subsidies, incentives, local control or export requirement which would tend to distort trade to the disadvantage of the U.S. economy. The Senate bill also added two additional members to the OPIC Board, one to be chosen from the Department of Labor, the other to represent small business interests.

Following Senator Percy's colloquy with Senator Goldwater on the deletion of the citrus prohibition in the existing law, the Senate version of H.R. 3136 passed.

Because the foreign assistance authorization had not been considered in the Senate by September 20, and OPIC's basic operating authority was due to expire on September 30 when the House passed H.R. 3136 extending OPIC's authority as a separate bill, the Senate undertook consideration of H.R. 3136 on September 25, 1981. The majority

leader, Senator Howard Baker, moved that the text of Title V of S. 1196 be substituted for the text of H.R. 3136. Senator Baker's motion was accepted without debate. Senator Percy inserted in the record the justification for the Senate OPIC provisions. In addition he responded to concerns over deletion of the specific prohibition against OPIC support for citrus or copper production.

No formal conference was held on the differences between the House and Senate versions of H.R. 3136. However, on September 28, 1981, Mr. Bingham returned to the House with a compromise text of H.R. 3136. The compromise text accepted both Mathias amendments from the Senate version, and continuation of the DIF program and the OPIC payback to the Treasury from the House version. The remainder of the two versions was essentially the same. The compromise text—presented to the House as an amendment of the Senate amendment of H.R. 3136—was passed by voice vote.

On September 30, the Senate concurred with the compromise text but added an amendment proposed by Budget Committee Chairman Domenici stating that loans from the Direct Investment Fund would be authorized only to the extent provided in advance in appropriations acts. This final amendment was agreed to by the House on October 2, 1981. H.R. 3136 was signed into law as Public Law 97–65 on October 16, 1981.

Humanitarian Assistance for the People of Lebanon

H.R. 6631 was introduced on June 17, 1982, by Representative Gejdenson and others, and was referred to the House Committee on Foreign Affairs. The purpose of the bill was to authorize emergency funding for humanitarian assistance for relief, rehabilitation, and reconstruction in Lebanon. President Reagan on June 9, 1982, had requested a $20 million authorization for this purpose. During the House committee's consideration of the bill, however, that amount was found to be inadequate, and was increased to $50 million. The bill was reported favorably to the House on June 23 (H. Rept. 97–622), and was approved by a roll call vote (334–70) on the same day.

The Senate called up the bill by unanimous consent on June 24, 1982. Senator Percy pointed out that although the Committee on Foreign Relations had prepared its own legislation (S. 2636) during meetings on June 21 and 23, committee members had unanimously agreed to substitute the House-passed bill in order to expedite passage of legislation to help start the funds flowing to Lebanon. No written report was submitted by the committee, therefore, but the committee's comments were inserted into the Congressional Record.

In its comments, the committee said that first priority for use of the funds should be for the immediate human needs of food, medicine, shelter, and water and that some rehabilitation of infrastructure would be required to meet these needs; but that allocation of funds for relief should not be delayed while plans are being formulated for longer-range rehabilitation and reconstruction. As short-term needs are met and emphasis shifts to rehabilitation and reconstruction, the committee expressed its intent to monitor closely the type of programs entered into by AID. The committee's original Lebanon relief legisla-

tion had included a provision for a series of reports to Congress on U.S. assistance programs in Lebanon. Senator Percy told the Senate that Chairman Zablocki, in a letter to the Secretary of State, would indicate that the House of Representatives would have supported such a requirement in conference and that the State Department should therefore treat that provision as if it had passed.

The committee pointed out that the President could reprogram funds from the economic assistance accounts to the disaster assistance account if available relief funds were used up before passage of H.R. 6631, but that it hoped such potentially disruptive reprogrammings would be unnecessary.

Finally, the committee lauded the administration's commitments to channel as much assistance as possible through private and voluntary agencies, and urged support of UNICEF's activities in the relief effort, which were already underway.

The bill was passed by the Senate on June 24 (voice vote) and became Public Law 97–208 on June 30, 1982.

Requiring a Second Certification on the Investigation of the Murders of U.S. Citizens in El Salvador

House Joint Resolution 494 amended the International Security and Development Cooperation Act of 1981 to require the President to certify a second time that the Salvadoran Government had made good faith efforts since the first certification in January 1982 to investigate and prosecute those responsible for the murders of U.S. citizens. The original legislation required consideration of this point only on the first certification.

When the Congress passed the International Security and Development Cooperation Act of 1981 (Public Law 97–113) in December 1981 to authorize economic and military aid for fiscal years 1982 and 1983, it placed conditions on aid to El Salvador. Section 728 required as a condition for continuation of military assistance to El Salvador that the President certify 30 days after enactment and semi-annually thereafter that the Salvadoran Government was making a concerted effort to comply with internationally recognized human rights, was achieving substantial control over abuses by security forces, was continuing political and economic reforms, and was committed to holding early elections with broad participation. The section also required that the President certify in the first certification that the Salvadoran Government was making good faith efforts to investigate the murders of six U.S. citizens in December 1980 and in January 1981 in El Salvador.

Many Members of Congress had hoped that the cases would be resolved quickly after the Salvadoran Government made arrests in April and May of 1981. However, by the end of the year, neither the suspects in the murders of two agrarian experts nor the six National Guardsmen in custody in connection with the murders of three Catholic nuns and a layworker had been formally charged. When the President made the first certification in January 1982, he certified that the government was making a good faith effort to pursue the investigations in the two cases. This assessment was based in part on the Salvadoran's request for FBI assistance in the investigations.

Five former National Guardsmen were charged in the nuns' case in February 1982, but charges were dropped against the prominent

persons in the land reform advisers' cases. The apparent lack of judicial or investigative action in the churchwomen's case led to charges that the cases were being delayed to protect the involvement of politically powerful members of the oligarchy or the security forces. Members of Congress sought to require the President to certify in the next certification, due in July 1982, that the Salvadoran Government was continuing to pursue these cases.

H.J. Res. 494 was introduced in the House by Representative Studds on May 25, 1982. It was ordered reported by the House Foreign Affairs Committee on June 22 by uanimous vote. The resolution was amended by the committee to require a certification that the Salvadoran Government also had taken all reasonable steps to investigate the disappearance of John Sullivan, an American journalist whose whereabouts have been unknown since December 1980. Procedural difficulties blocked efforts to consider the measure in the House on June 23, 1982, but on July 13, the joint resolution was passed by a vote of 399–1.

Senator Glenn introduced S.J. Res. 208 on June 29, 1982, with language identical to the House measure. It required the President to certify in the second certification that "the Government of El Salvador (1) has made good faith efforts since the first such certification was made to investigate the murders of those six United States citizens and to bring to justice those responsible for those murders, and (2) has taken all reasonable steps to investigate the disappearance of journalist John Sullivan in El Salvador in January 1981." The Foreign Relations Committee considered the measure on July 14, and approved the resolution unanimously. However, the committee's subsequent report of July 20, 1982 (S. Rept. 97–500, Part I and Part II) contained Senator Helms' views against the measure that the certification process was an unwise legislative intrusion that focused efforts on questionable goals desired by certification proponents while entirely neglecting the atrocities committed by terrorist guerrillas.

When the Senate considered the House-passed measure (H.J. Res. 494) in late July, it had strong bipartisan backing. Senator Percy and Senator Pell, the Chairman and Ranking Minority Member of the Foreign Relations Committee, spoke for the measure and indicated that they had jointly written to the Secretary of State on July 6, 1982, to ask that reporting on the cases of the U.S. citizens be included in the second certification. Senator Helms asked, without success, for unanimous consent to propose an amendment to require a Presidential determination "that the Government of El Salvador has made progress in its efforts to control and defeat the terrorist guerrilla forces that have waged a war of violence, intimidation, murder, and lawlessness against the people of El Salvador and their democratically-elected government." After limited debate, the Senate passed H.J. Res. 494, by rollcall vote of 95–2 with one member responding "present," on July 27, 1982, the same day the President made the second certification. The measure became law with the President's signature on August 10, 1982 (Public Law 97–233).

While not required by law at the time, the justification accompanying the President's second certification reported on Salvadoran efforts in the cases of the murdered Americans and indicated a willingness to deal with the requirement when it became legally binding.

Transfer of Naval Vessels

On September 28, 1982, the Armed Services Committee reported an original bill, S. 2965, to authorize the transfer of certain naval vessels to foreign countries, which was referred to the Foreign Relations Committee for two calendar days. On the same day, H.R. 7115, a similar bill, passed the House and was also referred to the Foreign Relations Committee. Prior to these referrals, the committee on September 21 modified and ordered reported the proposed measure upon receipt. The committee's comments were appended to the Armed Services' report (S. Rept. 97–595).

With the concurrence of Senator Percy, on October 1, Foreign Relations was discharged from further consideration of H.R. 7115 and the measure passed the Senate, as amended. (The Majority Leader noted that the Foreign Relations and Armed Services Committees had worked out a procedure by which, in the future, bills having to do with the transfer of naval vessels would be referred to Armed Services with a sequential referral to Foreign Relations.)

H.R. 7115 became Public Law 97–342 on October 15, 1982.

Peace Corps Readjustment Allowance

Legislation to set a new minimum monthly readjustment allowance for volunteer leaders of the Peace Corps was requested by that organization on May 24, 1982. Senator Percy introduced S. 2611 on June 9, 1982. The purpose of the bill was to amend section 6(1) of the Peace Corps Act by replacing the ceiling language ("not to exceed") with minimum language ("not less than") with respect to the monthly readjustment allowances for volunteer leaders.

The bill was considered by the Foreign Relations Committee and reported favorably to the Senate on December 7, 1982, without a written report. On December 16, 1982, it was passed by the Senate without amendment, by voice vote. The following day, the House called up the bill by unanimous consent and S. 2611 was passed by voice vote. It became Public Law 97–387 on December 23, 1982.

Sale of Government-Furnished Equipment

H.R. 6758 was introduced by Representative Goodling on July 14, 1982. The purpose of the bill was to authorize the U.S. Government to sell Government-furnished defense equipment (produced in U.S. Government arsenals) to U.S. contractors for subsequent incorporation into end items for commercial export to friendly foreign countries. The House Foreign Affairs Committee ordered the bill favorably reported July 15, 1982, and the bill was passed in the House by voice vote on July 19, 1982. It was received by the Senate on July 21.

The Foreign Relations Committee had held a public hearing on similar legislative language (originally contained in S. 2227) on April 14, 1982. On May 26, Senator Glenn requested and the committee agreed to set aside that part of S. 2227 pending a General Accounting Office (GAO) review of the implications of the proposed legislative language. On September 7, 1982, the committee received a GAO report recommending that the proposed legislation be subject to the Arms Export Control Act (AECA) to assure Congress that the same

reporting and implementation controls created for Foreign Military Sales would apply to Government sales to U.S. contractors for export. The report concluded: "Approval of a free-standing bill related to arms exports creates a poor precedent and diminishes the effectiveness of AECA controls over military equipment sales."

The modifications suggested by the GAO were included in S. 2920, introduced by Senator Heinz and others on September 15, 1982. On September 21, the Foreign Relations Committee met to mark up H.R. 6758 and S. 2920, voted unanimously to substitute the text of S. 2920 for that of H.R. 6758, and ordered H.R. 6758 as amended to be favorably reported.

In its report (S. Rept. 97–586, September 24, 1982), the committee pointed out that its bill (1) amends the AECA (adding a new Chapter 2B), thus retaining the act's controls and limitations; (2) authorizes the President rather than the Secretary of Defense to implement provisions of the bill; and (3) strictly limits authorization with regard to the sale of defense services under the new chapter to services performed in the United States.

Concluding its comments, the committee said:

> The committee intends that the authority to sell defense articles and defense services under this bill limited to those that are in fact being provided by the United States Government to the prospective United States private purchaser or its U.S. competitor in connection with United States Government procurements of similar end items for the use of the Department of Defense. The only defense services that may be sold under this authority are those directly associated with the installation, testing, and certification of the Government-furnished equipment.

On October 1, 1982, the Senate considered H.R. 6758 as amended, agreed to a technical amendment, and approved the bill by voice vote. On December 13, the House agreed to the Senate amendment. The bill became Public Law 97–392 on December 29, 1982.

Amendment of the Foreign Assistance Act of 1961

The purpose of H.R. 7143, which is technical in nature, is to amend the Foreign Assistance Act of 1961 to extend for an additional year the Agricultural and Productive Credit and Self-Help Community Development Programs. In 1981, when Congress enacted a 2-year foreign assistance authorization bill, the extension of the agricultural and productive credit and self-help community development program was inadvertently left out. This bill provides for the extension of that program through September 30, 1983. Section 222A of the Foreign Assistance Act authorized up to $20 million in guarantees to establish pilot programs in up to six Latin American countries to encourage private financial institutions to make loans to organizations and individuals who are normally unable to obtain commercial credit. The loans are for small productive enterprises and community projects.

H.R. 7143 was sponsored by Mr. Zablocki on September 21, 1982 and referred to the House Foreign Affairs Committee. which ordered it reported the same day. On September 28, 1982 H.R. 7143 passed the House and was referred to the Committee on Foreign Relations. On December 10, 1982 the committee discharged H.R. 7143 by unanimous consent and on December 20, 1982. H.R. 7143 passed the Senate by voice vote. It became Public Law 97–438 on January 8, 1983.

C. STATE DEPARTMENT AND RELATED LEGISLATION

Foreign Relations Authorization Act, FY 1982 and FY 1983

During March and April 1981, the administration submitted to Congress a series of authorization requests for the Department of State, the International Communication Agency (ICA), and the Board for International Broadcasting (BIB) for fiscal years 1982 and 1983. The Arms Control and Disarmament Agency (ACDA) and the Asia Foundation were included in consideration of this authorizing legislation in the Senate, and the Inter-American Foundation in the House of Representatives.

Both the Senate Foreign Relations and the House Foreign Affairs Committees conducted several days of hearings during March, April, and May on the respective bills (S. 784, S. 847, S. 849, and S. 991; and H.R. 3518) and, after making substantive changes to the executive branch request, ordered the measures favorably reported (as S. 1193, a new bill, in the Senate; S. Rept. 97–71, May 15, 1981). Further amending took place on the House and Senate floors, and the Senate passed its version of the bill June 18, 1981 by a vote of 88–4.

By the time the House version of the measure (H.R. 3518) came to the floor, President Reagan was revising his budget requests downward and the bill did not reflect the latest administration requests for State Department funding. For this and other reasons, the measure was voted down on September 17, 1981 by a vote of 165–226. Subsequently, the House reconsidered the measure as H.R. 4814, amended to reflect the lower spending levels sought by the President in September. The House then passed this new version of the bill on October 29, 1981, by a vote of 317–58.

The House version of the bill included a section directing the Secretary of State to establish an Office of Foreign Missions within the Department, whereas the Senate had considered this issue as a separate Foreign Missions Act (S. 854). Because of disagreements over aspects of this matter, the authorization bill was locked in conference from October 1981, until August 3, 1982, when the Conference Report (H. Rept. 97–693) was filed in the House. The report was agreed to by the Senate August 9 and by the House August 11. It was sent to the President the same day and was signed into law on August 24, 1982, when it became Public Law 97–241.

DEPARTMENT OF STATE AUTHORIZATION OF APPROPRIATIONS

General funding levels

Because the administration changed its request for funding after the initial measure had already been passed by the Senate, but before it had been passed by the House, there was a certain amount of confusion. Ultimately, for the most part, Congress agreed with the various funding levels for the Department of State as revised downward by the administration in its budget request of September 1981. The following chart tracks the approved amounts during House and Senate consideration of the measure:

[In thousands of dollars]

	Executive branch request [1]	Senate bill	House amendment	Conference
Fiscal year 1982:				
Administration of foreign affairs	1,245,637	1,318,754	1,245,637	1,245,637
International organizations and conferences	503,462	523,806	503,462	503,462
International commissions	19,808	22,508	19,808	19,808
Science and technology agreements	3,700	3,700	3,700	3,700
Asia Foundation		4,500		[2] 4,500
Migration and refugee assistance	504,100	560,850	504,100	[3] 504,100
Total	2,276,707	2,434,118	2,276,707	2,281,207
Fiscal year 1983:				
Administration of foreign affairs	1,248,059	1,248,059	1,248,059	1,248,059
International organizations and conferences	514,436	514,436	514,436	514,436
International commissions	22,432	22,432	22,432	22,432
Science and technology agreements	3,700	3,700	3,700	3,700
Asia Foundation				[2] 4,500
Migration and refugee assistance	460,000	467,750	460,000	[4] 460,000
Total	2,248,627	2,256,377	2,248,627	2,253,127

[1] This column indicates the administration's downward revised request, submitted in September 1981.
[2] In providing a separate authorization for the Asia Foundation for fiscal years 1982 and 1983, the conference stated its expectation that the executive branch would request separate authorizations for this purpose in succeeding fiscal years.
[3] Includes an earmarking of $12,500,000 for Soviet and East European refugees resettling in Israel, and an earmarking of $1,500,000 for the "political detainee" program of the International Committee for the Red Cross (ICRC).
[4] Includes an earmaking of $16,875,000 for Soviet and East European refugees resettling in Israel, and an earmarking of $1,500,000 for the "political detainee" program of the International Committee for the Red Cross.

The conference committee noted the amounts authorized for refugees and migration assistance in fiscal years 1982 and 1983 and stated its expectation that these funds be used to help alleviate the plight of Somali refugees in Ethiopia and that the executive branch implement procedures to insure that the assistance reaches the Somali refugees and is not diverted to other purposes. Senator Boschwitz proposed and was joined by Senators Mathias and Sarbanes in cosponsoring the appropriation of an additional $6,250,000 and earmarking $18,750,000 for the Department's program for the resettlement of Soviet and Eastern European refugees to Israel. The House amendment earmarked $12,500,000 in fiscal year 1982 and $16,875,000 in fiscal year 1983 and the conference committee adopted the lower figure. It also broadened the coverage of the measure to include refugees entering Israel from other countries, specifically mentioning Ethiopian and Iranian Jews facing persecution from their governments.

Passport office

The conference committee noted complaints from constituents about long delays encountered in the issuance of passports. Acknowledging some progress by the Department in solving some problems, the committee nevertheless advised the Department to assign more personnel, adjust the workload among the several passport offices, reopen the Detroit office if possible, and take whatever steps are required. In a related connection, the legislation also extended the period of validity for U.S. passports from 5 to 10 years, beginning with passports issued after the date of enactment of the act.

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Consular posts

The Foreign Relations Committee accepted an amendment offered by Senator Pell earmarking $2,085,000 in fiscal year 1982 and fiscal year 1983 to reopen, operate, and maintain consular posts in Turin, Italy; Salzburg, Austria; Goteborg, Sweden; Bremen, Germany; Nice, France; Mandalay, Burma; and Brisbane, Australia. The conference substitute reprogramed $400,000 in fiscal year 1982 and retained language added by the House precluding the opening of any new U.S. consulates until the seven cited were reopened. The conference report noted a State Department estimate that approximately $1.5 million would be used in fiscal year 1983 to operate and maintain these consulates and expressed the hope that this would be "the last occasion for disagreement over the opening and closing of U.S. posts abroad."

United Nations funds

The conference committee accepted a modification in the form of a substitute for the Foreign Relations Committee's proposal, made by Senator Glenn, that earmarked $45,800,000 for fiscal year 1982 and $48,500,000 for fiscal year 1983 for funds in the "International Organizations" account to be used to pay the U.S. full-calendar-year assessments to the Organization of American States (OAS). This was intended to exempt the OAS from the executive branch's deferral plan so as not to cause serious cash-flow problems for the OAS, where the U.S. contribution is 62 percent of the total. The conference substitute required that U.S. contributions to the OAS and related agencies be paid in calendar 1982 and 1983, but also voiced the expectation that the Department of State would continue to provide an orderly decrease in the U.S. share down to a level of 49 percent.

Senator Moynihan, in the Foreign Relations Committee markup, proposed a reduction in the U.S. assessed contribution to the United Nations equal to its assessed share of the costs of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and 25 percent of the amount budgeted for the Special Unit on Palestinian Rights.

The Asia Foundation

Prior to submitting its budget request for fiscal year 1982 to Congress, the administration deleted $4.5 million to support the Asia Foundation. Senator Percy, during committee markup, proposed a section adding $4.5 million to the authorization bill for fiscal year 1982 to fund the activities of the Asia Foundation. The conference committee approved the Senate addition of funding for the Foundation and authorized a like amount for fiscal year 1983. In doing so, however, the committee stressed that this earmarking of funds was intended to be only a stopgap measure, and stated its strong consensus that a more permanent funding structure was required.

As a possible solution, the conference committee suggested that, beginning in fiscal year 1984, funds for the Foundation be requested as a separate line item with the State Department budget, and not through funds designated for operational or program expenses of the Department. It stated its view that the Asia Foundation was a useful foreign policy tool and should not again be placed in the position of competing with the State Department for funds in the international affairs category. Another possible alternative of handling the Foundation as a separate item, similar to the Inter-American Foundation, was also mentioned.

The Foreign Missions Act

The House bill included an amendment entitled the Foreign Missions Act establishing a new "Office of Foreign Missions" within the Department of State and authorized the Secretary to review and control the operations of foreign missions in the United States, including matters relating to their location within the District of Columbia, the benefits available to them, and liaison with local governments over matters of diplomatic privilege and immunities. The Senate bill had no comparable provision, as it had taken up the matter separately and passed a bill, S. 854, that was similar, but contained no provision on the location of foreign missions within the District of Columbia. (The committee held a hearing on S. 854 on July 24, 1981 and reported the bill with amendments on November 30 (S. Rept. 97–283). It was referred to the Governmental Affairs Committee and that committee reported it on March 30, 1982 (S. Rept. 97–329). S. 854 was further amended and passed the Senate on April 27 by voice vote.)

It was this issue which held up passage of the Foreign Relations Authorization Act from April until August. The conference agreement was an attempt to settle a longstanding dispute between foreign diplomats and the District of Columbia Planning Commission over location and expansion of chancery buildings in the Nation's Capital. The House version would have transferred this responsibility to the local authorities.

The conference substitute was similar to the House amendment, but added provisions contained in the Senate bill. They included preserving the authority of the Secret Service to provide protective services; broadening the definition of "international organizations" to include those in which the United States does not participate; and clarifying the preemptive effect of the exercise of Federal jurisdiction regarding the conferral or denial of benefits under this legislation.

One of the most sensitive issues, and one which held up the conference was the location of chanceries in the District of Columbia. The conference committee retained the existing D.C. zoning structure and provided for chanceries to be treated similarly to, and no less favorably than, office and institutional uses, and set forth criteria for use in determining the chancery issues which take into consideration international obligations and the need to balance municipal and Federal interests.

The conference committee noted that the Foreign Missions Act was a new and unique piece of legislation which grants the Secretary of State significant authority over the activities and operations of foreign missions in the United States. It also noted that the Department would need adequate numbers of personnel and sufficient resources to carry out the job. Moreover, the committee stated its assumption that the function of the new office would be separate, and at times, in conflict with that of the Office of Protocol. While certain responsibilities might be shared between the two offices, the committee expected that the new office would resolve any inherent conflicts with the Office of Protocol through appropriate liaison.

International Communication Agency authorization of appropriations

The act included the same authorization level for fiscal year 1982 requested by the President in the downward revision submitted in September 1981, but deleted $85 million from the request for fiscal year 1983. The conference committee stated its intent that the appropriation for this amount not be offset by executive branch reductions in the current or any supplemental request for salaries and expenses or other accounts of the Department of State, functional development assistance programs, operating expenses of the Agency for International Development, or the U.S.-assessed or voluntary contributions to international organizations. The following chart tracks the approved amounts during House and Senate consideration of the measure:

[In thousands of dollars]

	Executive branch request	Senate bill	House amendment	Conference
ICA:				
Fiscal year 1982	494,034	561,402	494,034	494,034
Fiscal year 1983	644,000	482,340	482,340	559,000

The executive branch request for fiscal year 1983, including supplemental requests, totaled $644 million. The Senate bill and the House amendment recommended $482,340,000. However, since both the Senate Foreign Relations Committee and the House Foreign Affairs Committee subsequently reported supplemental authorization legislation (H.R. 5998 and S. 2581), the conference committee agreed to the lower Senate combined level of $559 million. This amount includes earmarking of $84,256,000 for the Fulbright Academic Exchange Program and the International Visitor Program; $3,248,000 for grants for the Humphrey Fellowship Program; and $8,906,000 for grants to certain private non-profit organizations.

Renaming the ICA "the U.S. Information Agency" (USIA)

The legislation also included a provision originally introduced by Representative Edward J. Derwinski in the House Foreign Affairs Committee that the ICA be redesignated the United States Information Agency (USIA), as it had been known before 1978. This provision was agreed to by the conference committee, although it was not in the Senate version of the bill. It took effect the date the act was signed into law.

"Sense of Congress" that exchange-of-persons programs be expanded

The act also included a section added in the Foreign Relations Committee expressing a "sense of Congress" conclusion that ICA's exchange-of-persons programs should be expanded. The section mandated a doubling of the amounts obligated for grants for such activities by fiscal year 1986: the original Foreign Relations Committee version mandated a tripling of such expenditures.

The conference version also provided for proportional reductions in the earmarked funding mentioned above for fiscal year 1983 if

the appropriation were lower than the authorization. It also permitted the use of up to 5 percent of the earmarked amounts for other purposes, providing a justification for such reprograming is submitted to the Committees on Foreign Affairs and Foreign Relations. At the same time, the conference committee noted that these earmarks were intended as floor levels that should not be read as precluding higher appropriations for exchange programs. It also cautioned that if the ICA appropriations were less than the amounts authorized for fiscal year 1983, any reductions in non-earmarked programs of the Agency's Educational and Cultural Affairs Directorate should be of no greater percentage than that by which amounts appropriated for the entire agency are less than amounts authorized.

Domestic distribution of certain ICA products

The conference committee also noted the cumbersome and time consuming procedures required whenever the Agency requests permission to distribute an ICA product (primarily films) within the United States. Under most circumstances, Section 502 of the Smith-Mundt Act prohibits such domestic distribution. The committee directed the Agency to review the situation and report its findings, recommendations, and dissenting views to the Committees on Foreign Affairs and Foreign Relations not later than January 31, 1983. The conference committee noted two possible solutions, one of which was to follow the policy and procedures adopted recently by the Foreign Relations Committee.

Board for International Broadcasting (BIB) authorization of appropriations

Funds for BIB operations during fiscal years 1982 and 1983 were authorized as follows:

	Executive branch request	Senate bill	House amendment	Conference
BIB:				
Fiscal year 1982	86,519	98,317	86,519	86,519
Fiscal year 1983	98,317	98,317	98,317	98,317

Senator Pell, in the Foreign Relations Committee, proposed an amendment that would require identical membership of the BIB and Radio Free Europe/Radio Liberty Boards. The effect of the measure would be to raise the Presidentially appointed membership of the Board for International Broadcasting from the current five to nine voting members and to disband the previously separate RFE/RL Board of Directors. The reconstituted BIB–RFE/RL Board would make all major policy determinations governing operation of the radios, in addition to the other traditional oversight functions of the BIB.

After adoption by the Senate, the measure was agreed to by the conference committee, but provided for an effective date of the merger requirement of 60 days following the date of enactment of this legislation and specified that the chief operating executive of the radios is a non-voting member of both boards. The conference report noted that

the executive branch would be well advised to select the additional members from among the members of the RFE/RL private board, and that the expanded board should continue to represent the entire domestic political spectrum.

The conference committee also reaffirmed the oversight role of the BIB's full-time Federal staff drawn from the competitive service, totally separate from the operational management of RFE/RL. In addition, the committee stated its expectation that the Board should assure that RFE/RL, Inc. continues to observe the standards and restraints defined in the BIB Statement of Mission and the RFE/RL Program Policy Guidelines.

Radio broadcasting to Cuba ("Radio Marti")

The Senate bill contained a provision introduced by Senator Helms on the Senate floor on June 17, 1981 during the consideration of the original bill that any funded program of the U.S. Government involving radio broadcasting to Cuba be designated "Radio Free Cuba." The conference substitute, developed after the administration had submitted its separate authorization request for special broadcasts to Cuba in 1982, provided that any U.S. Government radio broadcasts directed principally to Cuba be designated "Radio Marti." The section, which was included under the title of the act dealing with the Board for International Broadcasting, did not provide any authority to operate Radio Marti, as that matter was taken up in separate legislation.

United Nations Educational, Scientific, and Cultural Organization (UNESCO)

The Senate bill stated congressional opposition to UNESCO efforts to attempt to regulate the operations of the world press. The conference committee substituted the House amendment expressing the sense of Congress in the same regard that Congress opposes efforts by some countries to control access to and the dissemination of news. It also required a report from the President assessing the relationship of UNESCO programs and U.S. financial contributions to UNESCO and to the U.S. national interest; assessing UNESCO programs and activities, especially in the communications field; assessing the quality of U.S. participation and recruitment for employment by UNESCO; and making recommendations regarding improvements which should be made in the quality and substance of U.S. representation in UNESCO.

Export promotion duties of U.S. Ambassadors and the Foreign Commercial Service

The Senate bill provided that U.S. chiefs of mission (Ambassadors) shall have as a principal duty the promotion of the export of U.S. goods and services to the countries to which they are accredited. The conference substitute agreed with this objective, but also commented that the creation of a separate Foreign Commercial Service (FCS) in the Commerce Department had negatively affected U.S. economic and commercial interests and Foreign Service morale. The committee therefore urged the return of the FCS, its personnel and resources to the Department of State.

Arms Control and Disarmament Agency Act, fiscal years 1982–83

The Senate bill authorized appropriations of $18,268,000 for fiscal year 1982 and such sums as may be necessary for fiscal year 1983. The House amendment contained no comparable provision, but the House passed another bill, H.R. 3467, the Arms Control and Disarmament Act Amendments of 1981, on June 8, 1981. This bill authorized the same amount of appropriations and, also changed the Agency's name to the "United States Arms Control Agency." The conference substitute contained no provision on these issues, but the Foreign Relations Committee reported the House bill, as amended, to the full Senate.

Inter-American Foundation authorization of appropriations

The administration requested $12 million for the Inter-American Foundation for fiscal year 1982 and $12.8 million for fiscal year 1983. The Senate bill authorized the administration request for fiscal year 1982, while the House version authorized $10.56 million. The conference committee approved the Senate version. For fiscal year 1983, the Senate version did not authorize an appropriation, but the House version authorized the administration request of $12.8 million, as did the conference committee.

Other miscellaneous Senate provisions

The Senate-passed version of the bill also contained additional measures included under title V (Miscellaneous Provisions), some of which were adopted by the conference committee and became part of the final act. These include:

—the repeal of various obsolete provisions of law, mostly relating to the submission of one-time reports; and

—a request for a report on the costs to the United States of local efforts to assist refugees and Cuban and Haitian entrants to the United States in fiscal years 1981 and 1982.

Arms Control and Disarmament Act Authorizations for Fiscal Years 1982 and 1983

On April 10, 1981, Senator Percy, by request, introduced a bill, S. 991, in the Senate to authorize appropriations under the Arms Control and Disarmament Act, and for other purposes. The Foreign Relations Committee had already considered the matter of an authorization for the Arms Control and Disarmament Agency on April 8 at a hearing at which the Agency's Acting Director, Michael Pillsbury, was the principal witness.

The administration had asked that $16,768,000 be authorized for fiscal year 1982 and "such sums as may be necessary" for 1983. Senators Percy, Pell, and Cranston recommended that the 1982 authorization be increased by $1.5 million to $18,268,000. A major consideration in this regard was testimony that the added amount would be needed should major arms control negotiations be resumed during the fiscal year. The committee was also mindful of the Agency's need for sufficient funds to conduct research on strategic arms limitations, and for work related to the monitoring of arms control agreements. The committee agreed to the proposed increase. It also approved the administration's request for "such sums as may be necessary" for fiscal year 1983. The administration had also asked that section 45(a) of

the act be amended to permit the Agency to use the results of security investigations done by the Departments of Defense and State in clearing persons detailed from other agencies. The committee agreed to this amendment.

Senator Pressler proposed an amendment to section 31(b) of the act to authorize the Agency to conduct research, development, and other studies on all aspects of anti-satellite activities. In offering the amendment, he noted the importance of discussions to limit anti-satellites and called for a clear recognition of the Agency's responsibilities in regard to arms control in outer space. The committee adopted this amendment.

The committee marked up the proposed legislation on May 5 and agreed to report an original bill authorizing appropriations for the Agency, the Department of State, the International Communication Agency, and the Board for International Broadcasting (S. Rept. 97–71). The vote was 13–0. This bill, S. 1193, was amended and approved by the Senate on June 18, 1981, 88–4.

The House, meanwhile, had chosen not to include the Agency's authorization in a single bill with other foreign affairs agencies. Instead, it had approved separate legislation. This bill, H.R. 3467, was reported by the House Foreign Affairs Committee on May 19, 1981, passed by the House on June 8, and referred to the Foreign Relations Committee on February 25, 1982. At a meeting of conferees on April 29, 1982, it was agreed that both houses would act on the separate House bill. The committee marked up H.R. 3467 on May 6. It incorporated the Senate amendment on anti-satellite research and deleted a House provision to change the name of the Agency. It agreed to accept the House authorization of $19,893,000 for fiscal year 1983 in lieu of the Senate provision of "such sums as may be necessary."

The bill was reported to the Senate on May 26, 1982. In its report, (S. Rept. 97–430), the Foreign Relations Committee noted that the Arms Control and Disarmament Agency was the only agency in the national security area that was undergoing budget and personnel cutbacks. To some members, this trend seemed inconsistent with the President's arms control initiatives and might actually undermine them. Many members, according to the report, were concerned that budget constraints would reduce the Agency to a point that it could no longer function effectively, either internally or within the larger sphere of national security. Therefore, the committee pointed out that it was maintaining in this authorization "its longstanding commitment to ensuring adequate funding for the Agency and for important arms control efforts in which it is involved."

H.R. 3467, as amended, passed the House and Senate on October 1, 1982. It was signed by the President on October 15, as Public Law 97–339.

International Communication Agency Film on Poland

Senate Joint Resolution 139, an original joint resolution, was ordered favorably reported by the Foreign Relations Committee on January 26, 1982. Similar legislation (H.J. Res. 382) was introduced in the House by Mr. Zablocki on January 25, 1982 and referred to the House Foreign Affairs Committee.

The purpose of the joint resolutions was to authorize the release within the United States of the International Communication Agency film entitled "Let Poland Be Poland: A Day of Solidarity with the People of Poland." The film was prepared by the ICA as a means of extending support for the Polish people and the democratic renewal movement spearheaded by Solidarity, and was scheduled to be broadcast worldwide on January 31. The joint resolutions waived limitations contained in section 501 of the U.S. Information and Educational Exchange Act of 1948 on the dissemination of ICA materials within the United States.

On January 26, the House committee ordered H.J. Res. 382 favorably reported. The House considered the resolution on January 27, and passed it by voice vote. The Senate passed H.J. Res. 382 by voice vote on January 28. It became Public Law 97–146 on January 30, 1982. The Senate postponed indefinitely S.J. Res. 139 on February 2.

International Communication Agency Slides on Montana

On March 3, 1982, Senator Baucus introduced S. 2166, which was referred to the Foreign Relations Committee. The purpose of the bill was to authorize distribution within the United States of the International Communication Agency slide show, "Montana: The People Speak." Depicting the constitutional convention which revised the Montana Constitution, this ICA production was of interest to civic groups in Montana.

The bill was reported favorably by the committee March 10, 1982, and was passed by the Senate on March 15. It was passed in the House by a roll call vote (388–11) on March 23, and became Public Law 97–159 on March 24, 1982.

International Center Act (Amendments)

The Foreign Relations Committee held a hearing on the International Center Act (Amendments) Act of 1982 (S. 1611) on October 27, 1981. The purpose of the Act was to amend the 1968 International Center Act (Public Law 90–553) to expand and complete the planned International Diplomatic Center within the federally-owned Bureau of Standards site at Van Ness Street and Connecticut Avenue in northwest Washington, D.C. The amendments included in the legislation authorize the completion of the project by (a) substituting one international organization (the International Telecommunications Satellite Organization or INTELSAT) for another originally planned for in the 1968 enabling legislation (the Organization of American States or OAS), for the construction of an international organization headquarters; and (b) by providing needed additional space for chanceries, both in the chancery expansion area known as the "Northwest quadrant," and in excess space to be constructed within the INTELSAT project.

The legislation had originally been introduced in the House by request of the administration (on behalf of the General Services Administration) on February 20, 1980 as H.R. 6550 and was referred to the Committee on Public Works and Transportation's Subcommittee on Public Buildings and Grounds on March 3. The committee

considered the bill and reported it to the House July 30, 1980 (H. Rept. 96–1208).

The bill was passed by the House by voice vote August 18, 1980 and was received in the Senate the following day. It was read twice and then referred to the Committee on Foreign Relations on August 19, 1980.

Renumbered as S. 1611, the bill was considered by the Foreign Relations Committee at the hearing cited above (October 27, 1981). The Assistant Secretary of State for Administration testified in favor of the bill.

On November 17, 1981, the committee considered the legislation and ordered it reported favorably to the Senate without amendment by voice vote. It was reported to the Senate (S. Rept. 97–281) on November 30, 1981. The measure was considered and passed in the Senate on April 29, 1982.

Referred to the House Committee on the District of Columbia on May 3, 1982, the bill was called up by unanimous consent in the House, May 13. It passed the House the same day and became Public Law 97–186 on May 25, 1982.

U.S. Information Agency Film on Jefferson

S. 3073 was introduced by Senator Warner and others on December 3, 1982. The purpose of the bill was to allow domestic release of a videotape produced by the U.S. Information Agency entitled "Dumas Malone: A Journey With Mr. Jefferson." Both the Smithsonian Institution and the Thomas Jefferson Memorial Foundation at Jefferson's home, Monticello, were planning exhibits of Gilbert Stuart's "Edgehill" portrait of the third U.S. President in spring 1983, and desired to show the USIA program in conjunction with the exhibits.

The Committee on Foreign Relations reported the bill to the Senate on December 8, 1982, without a written report. On December 16, 1982, S. 3073 was approved by the Senate by voice vote, and on the following day was referred to the House Committee on Foreign Affairs. Also on December 17, the House committee was discharged by unanimous consent, the bill was called up in the House and was approved by voice vote. It became Public Law 97–388 on December 23, 1982.

D. INTERNATIONAL ECONOMIC MATTERS

Czechoslovakian Claims Settlement Act of 1981

In 1981 the issue of financial claims of U.S. citizens against the Government of Czechoslovakia was settled through concerted congressional and administration action. This issue had troubled United States-Czechoslovak relations for more than 30 years.

Following the post-World War II re-establishment of a Czechoslovak Government in 1945, American-owned businesses and property in that county were nationalized. By 1948, following the completion of the Communist take-over of Czechoslovakia, most of the remaining American-owned property was expropriated without compensation.

This situation was by no means unique, as U.S. citizens had suffered similar property losses in other countries of Eastern Europe brought under Soviet control after 1945. What set the Czechoslovakian case apart is that it affected and became linked to a separate issue involving the return of some 18 tons of monetary gold to Czechoslovakia. The gold had been taken by the Nazis from Prague to Germany, where it was captured by the allies in 1945. Some of this gold was returned to Czechoslovakia before deliveries were halted by President Truman in 1949 because of Prague's attitude regarding compensation of U.S. citizens whose property had been expropriated. Thereafter the two issues became linked: The Czechoslovakian gold-U.S. claims controversy.

From the beginning both sides accepted, in principle, their respective obligations: To return the Czech gold and to compensate legitimate U.S. claimants. A mutually acceptable claims settlement, however, took 32 years to achieve, despite serious negotiations in 1949, 1955, 1963 and 1974.

In 1949 the United States sought a claims settlement of about $45 million from Czechoslovakia with no strings attached. Prague offered $20 million, subject to favorable U.S. action on loans and export licenses. The Czech gold held by the United States was then orth about $21 million. No agreement was reached. Another attempt at negotiations in 1955 was similarly unsuccessful.

During the early 1960's the United States concluded claims agreements with several East European states, with compensation running at roughly 40 cents to the dollar. The State Department initialed a similar agreement with the Czechoslovak Government in 1963, but it was never submitted to the Congress for approval since congressional opinion found the agreement unsatisfactory. (By that time the principal value of the U.S. claims against Czechoslovakia had been set at $64.1 million by the U.S. Foreign Claims Settlement Commission.) The Czech gold, it was believed, provided leverage unavailable in the other cases, and should have been used to secure a more favorable settlement.

In 1974, Washington and Prague initialed an agreement which provided for the return of the Czech gold and the discharge of all U.S. claims against Czechoslovakia after a Czech payment of $20.5 million ($4 million down and the balance in 12 equal annual payments). Although this agreement was similar to that concluded between the United States and several other Soviet-bloc states, congressional opinion was opposed to the agreement with Czechoslovakia. The price of gold was rising sharply at that time and the value of the Czech gold in U.S. hands had jumped from roughly $20 million to $80 million in 4 years. Congress rejected the 1974 agreement and instructed the administration to seek a settlement providing payment of 100 percent of the principal plus some interest. In addition, the Congress adopted Section 408 of the Trade Act of 1974, which stipulated that:

> (a) The 1974 United States-Czechoslovak Claims-Gold Agreement be renegotiated and submitted to the Congress as part of any future United States-Czech trade agreement;
>
> (b) The United States not release any United States-held Czechoslovak gold without specific congressional approval.

Prague rebuffed these terms and reiterated its unwillingness, in view of the other United States-East European claim settlements, to go much beyond 40 percent of the principal figure. The U.S. congressional requirement of 100 percent of principal plus interest seemed unobtainable and negotiations were discontinued.

By 1980 two related factors combined to push the Czechoslovak Government toward a settlement on U.S. terms. The price of gold continued to rise dramatically. By the end of 1980 the value of the United States-held Czech gold had risen from its 1945 level of $21 million to $349 million. Also, several Members of Congress, responding to the frustration of many aging and poor claimants, challenged the State Department's diplomatic approach to this issue. Several bills were introduced calling for a unilateral U.S. solution to the problem. In the second session of the 96th Congress Senator Moynihan introduced S. 2721, which would have prohibited the granting of most-favored-nation status to nations that had expropriated U.S. citizens' property without just compensation In the same session Congressman Wolff took a different approach with H.R. 7338. This bill called for the sale of United States-held Czech gold, with the proceeds used to pay the claimants (principal and interest) and the remainder then to be returned to Czechoslovakia. Neither of these bills received final action in the 96th Congress

Several new bills were introduced at the beginning of the 97th Congress taking the same approach as the Wolff bill of the previous session: H.R. 2352, introduced by Congressman Ottinger on March 5, 1981; S. 754, introduced by Senators Moynihan and Schmitt on March 19, 1981; and H.R. 2631, introduced by Congressman Bingham, also on March 19, 1981.

This proposed legislation together with the sharp increase in the price of gold helped bring the Czech Government back to the bargaining table in a negotiating climate favorable to the United States. On September 29, 1981, during a break in the negotiations, the Senate Foreign Relations Committee considered S. 754. Testimony was heard from Ambassador Rozanne Ridgway, the U.S. Special Negotiator, and from the U.S. Ambassador to Czechoslovakia, Jack Matlock. The full committee then voted 14–0 to report S. 754 to the Senate with no recommendation, in effect holding it in abeyance pending conclusion of the United States-Czech negotiations (S. Rept. 97–211, October 19, 1981).

Although the U.S. Department of State opposed the unilateral remedy proposed by this legislation, the negotiating position vis-a-vis Czechoslovakia was strengthened by S. 754 and its two companion bills in the House. On November 6, 1981 a new Claims-Gold Agreement was initialed by the two governments in Prague.

From the U.S. perspective the terms of the 1981 agreement were a great improvement over those of the 1974 agreement rejected by the Congress. The new agreement provided for the payment by Czechoslovakia of $81.5 million to the U.S. Treasury simultaneous with the Czechs' receipt of the 18.4 tons of Nazi-looted gold. This $81.5 million payment (in contrast to the $20.5 million agreed to in 1974) is considerably more than 100 percent of the outstanding principal balance of adjudicated U.S. claims ($64.1 million). Thus, the 1981 agreement conforms to the guidelines set out by the Congress in 1974 of 100

percent of the principal figure plus interest. In addition, unlike the $20.5 million settlement of 1974, which was to be paid out over 12 years, this $81.5 million lump sum agreed to in 1981 would be paid immediately.

On December 11, 1981 Senator Moynihan introduced S. 1946, The Czechoslovakian Claims Settlement Act of 1981, cosponsored by Senators Dole and Percy, a bill to approve and implement the November 6, 1981 United States-Czechoslovak Gold-Claims Agreement. The Senate approved the bill by voice vote the same day. On December 8, 1981, Congressman Bingham had introduced a similar bill, H.R. 5125, in the House; that bill was favorably reported by the Committee on Foreign Affairs on December 10 (H. Rept. 97–385).

On December 15, S. 1946 was amended and passed by the House in lieu of H.R. 5125. On December 16, the Senate agreed to the House amendments with an amendment of its own which was accepted by the House later that same day. On December 22, S. 1946 was enrolled in both the Senate and House and presented to the President, who signed it into law (Public Law 97–127) on December 29, 1981.

1981 Multilateral Development Bank Authorizations

On March 24, 1981, Senator Percy introduced (by request) S. 785 and S. 786, bills to authorize additional U.S. contributions or subscriptions to the World Bank and the regional development banks. The pattern of congressional action on these proposals was somewhat complex. The Senate passed the two bills first as separate items. At the initiative of the House authorizing committee, however, the new multilateral development bank (MDB) authorizations were included in the House-passed version of the 1981 Omnibus Budget Reconciliation Act. The Senate did not include the new MDB authorizations in its version of the Budget Reconciliation Act but it acceded to the House initiative in conference and the new authorizations were enacted into law as part of the omnibus budget legislation.

The first bill, S. 785, authorized U.S. participation in the new General Capital Increase of the International Bank for Reconstruction and Development (IBRD), the ordinary capital component of the World Bank. As requested by the Treasury Department, $8.76 billion was to be authorized to pay for the new U.S. subscription—$658 million to be paid in and the rest to be callable capital subscriptions to the IBRD.

The second bill, S. 786, provided for U.S. participation in a number of different MDB programs. It authorized the appropriation of $3.24 billion for the U.S. share in the sixth replenishment of the International Development Association (IDA VI), the World Bank's concessional loan affiliate. It authorized the appropriation of $360 million—$90 million of it to be paid in and the rest callable—and U.S. membership in the African Development Bank (AFDB). It amended the Bretton Woods Agreements Act and the Asian Development Bank (ADB) Act in order to change the budgetary treatment for future U.S. subscriptions to IBRD or ADB callable capital. Hereafter, those subscriptions could be made, subject to ceilings in the annual appropriations acts, rather than through a requirement for actual appropriations. It also authorized the appropriation of $66.8 million for

contribution to the Asian Development Fund (ADF), $275 million for an additional U.S. subscription—$21 million of it paid in and the rest callable—to the Inter-American Development Bank, and $70 million for additional U.S. contributions to the Fund for Special Operations (FSO), the IDB's concessional loan program. These last items are intended to restore authorities cut in 1980, when the House insisted on 15 percent and 10 percent reductions, respectively, in the new U.S. contributions to the Asian Development Fund and the Inter-American Development Bank.

In 1980, the Foreign Relations Committee recommended and the Senate approved legislation (S. 2422) authorizing the above U.S. contribution to IDA and U.S. membership in the AFDB. A companion bill was reported by the House authorizing committee but it died after failing to be scheduled for floor consideration in the House. On January 17, 1981, the Carter administration transmitted draft legislation to Congress to provide for U.S. participation in the IBRD General Capital Increase and the EDA Sixth Replenishment, U.S. membership in the African Development Bank, and approval of the authorizations cut from the previous year's legislation. On March 10, 1981, Acting Secretary of the Treasury R. T. McNamar sent a letter to the President of the Senate "requesting prompt and favorable action" on the legislation.

The Foreign Relations Committee heard testimony from the administration on these bills on March 25 and April 21, 1981.

On March 25, in a mark-up which took place after the hearing, the committee voted 14–1 to report S. 786 as amended. Before doing so, the committee voted to strike titles IV and V, involving the "catch-up" authorizations for the ADF and IDB, so the new IDA/AFDB authorization bill would be just the same as the bill (S. 2422) the Senate passed the previous year. The committee agreed to consider the "catch up" provisions later. At its business meeting of April 1, 1981, the committee voted unanimously to confirm its action of March 25.

The Senate passed S. 786 by a 58–32 vote on April 29, 1981. A Percy/Pell amendment was adopted prior to passage of the $3.24 billion IDA VI request which provided that no more than $540 million would be available in fiscal year 1981 and no more than $850 million would be available in fiscal year 1982, consistent with the Reagan administration's annual appropriations request for this program.

On May 6, 13, and 15, 1981, the Foreign Relations Committee met and marked up S. 785 and the "catch-up" provisions for the ADF and IDB which were removed previously from S. 786. Ultimately, this was reported out as part of an original bill (S. 1195) of the committee on May 15. In the course of the markup, the committee also provided that only the $658 million needed for the paid-in portion of the new U.S. subscription to the IBRD would be authorized for appropriation; subscription to the $8.1 billion in callable capital would be handled through program ceilings in appropriation acts. Third, it adopted an amendment, proposed by Senator Mathias, entitled the "Hunger and Global Security Multilateral Development Bank Act."

The Mathias amendment instructs the Secretary of the Treasury to urge the other multilateral banks to adopt similar guidelines, "to

the maximum feasible extent consistent with the purposes and charters of those institutions," so that a portion of their annual lending shall be designed to benefit needy people, "primarily by financing sound, productive, self-sustaining projects in developing countries which provide assistance to help poor people improve their conditions of life." The legislation expressed the sense of Congress that at least 50 percent of the annual lending of each multilateral agency "ought to be designed to benefit needy people" in this manner. The Mathias amendment also directed the Treasury Secretary to report annually to Congress on the progress being made toward achieving this goal and the amount of each multilateral agency's aid which was being targeted toward helping poor people.

The committee observed, in its report, that Congress needed to act favorably and expeditiously on this legislation, in order to fulfill U.S. commitments to multilateral arrangements which had already been negotiated and to maintain U.S. leadership in the international economic sphere. Regarding its treatment of IBRD callable capital in the bill, the committee said the decision not to authorize the appropriation of this capital was only a procedural change designed to bring the authorization process into conformity with the treatment of callable capital in the congressional budgetary and appropriations process. No MDB callable capital had ever been called, the committee said, and it was very unlikely that any would ever be called. The committee reported, though, that it "viewed the U.S. subscription to the GCI as a commitment of the United States and as such backed by the full faith and credit of the United States." In the event that authorizations of appropriations for the callable portions should be required, the committee "stressed that it would act expeditiously to make good on that commitment."

On June 17, 1981, the Senate voted 65–27, after a brief discussion, to pass S. 1195 as proposed by the committee.

In the House of Representatives, the House Banking Committee combined in one single omnibus bill (H.R. 3439) all the MDB authorizations the Reagan administration had recommended. On May 6, 1981, the House Banking Committee marked up and favorably reported the legislation, as amended. The Banking Committee made no changes in the size of the authorizations in the bill. It did attach, however, its own version of the "Hunger and Global Security Multilateral Development Bank Act." It included several amendments directing the U.S. executive directors to oppose MDB aid to Afghanistan, Vietnam, Cuba, and countries which impose economic embargoes on the United States. It also directed the administration to take steps to better coordinate U.S. foreign aid policy, to re-examine basis funding mechanisms for MDB aid, and to consult systematically with all the leaders of the relevant House and Senate authorizing and appropriating committees during any future MDB replenishment negotiations.

Subsequently the Banking Committee leadership chose to withdraw H.R. 3439 and to attach the new MDB authorizations to its version of the 1981 Omnibus Budget Reconciliation Act (H.R. 3982). The amounts authorized and the policy directives (amendments) were the same as those in H.R. 3439. To meet certain technical requirements of the CBO reconciliation baseline, however, the Banking Committee chose to attach stringent annual ceilings on the amounts which would

be available for appropriation in any one year. For example, $3.24 billion was authorized for contributions to IDA, but no more than $298 million would be available in fiscal year 1982 and similar amounts in subsequent years. The House Banking Committee transmitted its segment of the omnibus budget measure to the House Budget Committee and the latter committee reported the omnibus bill (H. Rept. 97–158) on June 19, 1981.

The House passed its version of the 1981 Omnibus Budget Reconciliation Act on June 26, 1981.

The Senate chose not to include any matters pertaining to multilateral development banks in its version of the budget bill, which was passed July 13. In the House-Senate conference committee, the Senate conferees sought to relate the existing terms of their MDB legislation (S. 786 and S. 1195) to the MDB provisions of the House budget bill. The House conferees agreed to a series of amendments proposed by the Senate conferees, raising all-but-one of the annual ceilings on the MDB authorizations to the amounts being requested by the administration. At the insistence of conferees from the Senate Budget Committee, however, a $945 million ceiling was imposed for appropriations for IDA in fiscal 1984. This had the effect of stretching out the IDA VI replenishment for one more than the 3 years originally planned. Other than this, the authorizations in the final bill were the same as those adopted by the Senate earlier in S. 786 and S. 1195.

The House agreed to drop all its policy amendments, save one. The conferees agreed to include in the final bill the measure directing the administration to consult with all the relevant congressional committees prior to, during, and the end of all future MDB replenishment talks. The conferees also agreed to include a modified version of the Senate's "Hunger and Global Security" amendment in the final act. In the legislation, the conferees stated that a "specified portion" of each institution's lending should be directed, in the anticipated guidelines on MDB lending, toward directly benefiting the needy. No specific percentage was mentioned, however, in the law.

The House agreed to the conference report on H.R. 3982 on July 31, 1981, by unanimous consent, and the Senate concurred the same day by 80–14. On August 13, 1981, the President signed it into law (Public Law 97–35).

E. MISCELLANEOUS LAWS

Honorary Citizenship for Raoul Wallenberg

The purpose of Senate Joint Resolution 65 was to declare Raoul Wallenberg an honorary citizen of the United States and to request that the President ascertain from the Soviet Union the whereabouts of Raoul Wallenberg and secure his return to freedom.

Raoul Wallenburg was a Swedish diplomat in Hungary during World War II. He is credited with saving the lives of as many as 100,000 Hungarian Jews. In 1944, the United States War Refugee Board, which consisted of the Secretaries of State, the Treasury, and War, asked Sweden, as a neutral country, to aid in saving Hungarian Jews from the Nazis. Wallenberg volunteered his assistance. With

funds provided by, and according to directives from the United States, Wallenberg provided food, shelter, and medical care for Hungarian Jews. Wallenberg was seized by the Soviet Union on January 17, 1945. Although the Soviet authorities have reported that he died in detention in 1947, a report as recent as January 1981, from a former prisoner suggests that Wallenberg is still alive.

S.J. Res. 65 was introduced in the Senate by Senator Pell for himself and 42 (later 57) co-sponsors on April 8, 1981. The measure was read for the second time that day and referred jointly to the Committees on Foreign Relations and on the Judiciary. It was referred to the Judiciary's Subcommittee on Immigration and Refugee Policy on April 15, 1981. The Committee on Foreign Relations considered the resolution in open session on June 16, 1981. Favorable comment from the executive branch, including a copy of a letter from Secretary of State Alexander Haig to Congressman Tom Lantos, was considered by the committee. After discussion, the committee voted 15–0 to report the resolution favorably to the floor without amendment.

On July 14, 1981, the Committee on the Judiciary unanimously voted to order S.J. Res. 65 to be reported with an amendment. The committee amended the resolution to include the statement that "honorary citizenship is and should remain an extraordinary honor not lightly conferred nor frequently granted.

On July 27, 1981, the measure was favorably reported by Mr. Percy from the Committee on Foreign Relations and on behalf of Mr. Thurmond from the Committee on Judiciary with an amendment to the preamble in a joint report (S. Rept. 97–169). The joint report noted that "the United States has a special obligation to Raoul Wallenberg and his family since his brave mission was undertaken at the behest of the United States Government, and his efforts were supported and financed by the United States War Refugee Board."

The resolution passed with an amendment to the preamble in the Senate by a voice vote on August 3, 1981. The House of Representatives called up S.J. Res. 65 on September 22, 1981. The passage of a similar resolution, H.J. Res. 220 was vacated and the Senate resolution was passed in lieu. President Reagan signed the Senate resolution into law (Public Law 97–54) on October 6, 1981.

Multinational Force and Observers for Sinai

When Egypt and Israel signed their treaty of peace on March 26, 1979, President Carter gave them assurances that if and when the United Nations declined to participate in the functioning of a peacekeeping force for the Sinai, the United States would participate in the operations of a Multinational Force and Observers (MFO) unit. As anticipated, on May 18, 1981, the U.N. did decline to participate when the President of the Security Council reported that the members of the Council were unable to reach agreement on the issue.

On August 3, 1981, Egypt, Israel and the United States signed a Protocol which outlined the manner of U.S. participation in the MFO, subject to congressional approval.

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Senate Joint Resolution 100 was introduced by Senator Percy, at the administration's request, on July 22, 1981. The committee had already held a hearing on the proposed resolution on July 20, receiving testimony from administration witnesses. The committee considered the issue on September 15 and 22, 1981, voting unanimously (13–0) on the latter date to report the measure to the Senate, with certain amendments.

In its favorable report (S. Rept. 97–197, September 30, 1981) the committee expressed strong support for the creation of the MFO to assist in implementing the 1979 peace treaty. However, a number of concerns had been expressed about introducing U.S. armed forces equipped for combat into the Sinai area; therefore the committee considered possible limitations on such forces and accordingly agreed on several changes to the original legislation. The committee also sought to provide incentives to developing nations that might wish to participate in the MFO, adding section 4(b) to the joint resolution to authorize U.S. military training of the armed forces of such nations.

Before considering S.J. Res. 100, the Senate first had to pass S. Res. 217, waiving section 402(a) of the Congressional Budget Act of 1974. Section 402(a) states that it shall not be in order to consider any bill which authorizes the enactment of new budget authority for a fiscal year unless that bill has been reported on or before May 15 preceding the beginning of such fiscal year. S. Res. 217 was approved on October 7, 1981, allowing the consideration of S.J. Res. 100 the same day. The joint resolution was passed with little debate and by voice vote.

The House passed S.J. Res. 100 by substituting language of H.J. Res. 349, 368–13, on November 19, 1981. On December 16, the Senate agreed to the House amendments with an amendment and on the same day the House agreed to the Senate amendment. The measure became Public Law 97–132 on December 29, 1981.

The two main provisions of S.J. Res. 100 limited the U.S. manpower commitment to 1,200 men and the U.S. financial commitment to no more than 60 percent of the MFO budget for fiscal year 1982 and no more than 33 percent in each succeeding fiscal year. It also requires the President to report to the Speaker of the House and the chairman of the Senate Foreign Relations Committee by April 30, 1982 and by January 15 of each succeeding year.

The 82d Airborne arrived in the Sinai March 17, 1982 to take their positions in the MFO, officially starting their mission when Israel returned the last piece of the Sinai to Egypt on April 25, 1982.

Soviet Policy on Human Rights

Senate Joint Resolution 154 was introduced by Senator Pell and others on March 2, 1982. A similar resolution (H.J. Res. 373) had been introduced on December 10, 1981 by Representative Schroeder and others, and referred to the House Foreign Affairs Committee.

The purpose of both joint resolutions was to urge the President to instruct the U.S. delegation to the 38th meeting of the United Nations Commission on Human Rights at Geneva to raise the issue of human rights violations in the Soviet Union, including harassment of Soviet Jews and prohibitions against religion and emigration; to urge the Soviet Government to comply with its obligations under international

law, as well as under its own Constitution, to end its assaults on religious groups and its restrictions on emigration; and to urge the President to articulate to the Soviet Government U.S. opposition to these practices.

The House resolution was approved by the Foreign Affairs Subcommittee on Human Rights and International Organizations on February 3, and by the full Foreign Affairs Committee on February 25, 1982. It was passed by the House on March 2, 1982, by a roll call vote (387–0).

On the same day, the Foreign Relations Committee favorably reported S.J. Res. 154 which was considered by the Senate March 4. The Senate then passed H.J. Res. 373 in lieu of S.J. Res. 154, which was ordered indefinitely postponed. The joint resolution became Public Law 97–157 on March 22, 1982.

Dr. Semyon Gluzman

House Joint Resolution 230 was introduced on April 9, 1981, by Representative Green and others, and was referred to the House Committee on Foreign Affairs. The purpose of the resolution was to urge the Government of the Soviet Union to allow Dr. Semyon Gluzman and his family to emigrate to Israel. A noted psychiatrist, Dr. Gluzman had refused to cooperate with the KGB in certifying human rights advocates as mentally ill. Consequently, he was sentenced in 1972 to a prison term of 7 years to be followed by 3 years in exile. The joint resolution urged the Soviet Government to permit emigration of the Gluzman family upon completion of the term of exile.

The measure was passed in the House on May 4, 1982, by a voice vote. It was referred to the Foreign Relations Committee on May 5, and was reported favorably on June 16, 1982 (without a written report). The Senate passed the joint resolution on June 21 (voice vote), and it became Public Law 97–209 on June 30, 1982.

Participation of the United States in the 1984 Louisiana World Exposition

H.R. 6409 provides for the participation of the United States in the 1984 Louisiana World Exposition. The legislation was introduced in the House on May 19, 1982 by Representative Boggs. A hearing was held June 21, before the Subcommittee on International Trade. The measure as amended by the House Foreign Affairs Committee was reported to the House on July 19, 1982 (H. Rept. 97–639). The measure passed by voice vote the same day and was referred to the Committee on Foreign Relations on July 21, 1982.

On June 29, 1982, the Senate committee had conducted a hearing on S. 1482—a bill to establish new procedures governing residual use of buildings constructed for international expositions. On June 30, Senators Long and Johnston introduced S. 2701, similar to H.R. 6409. The committee met on August 10 to consider the several bills concerning international expositions. On that day it modified S. 1482 and added it to H.R. 6409 as a new section 16, and ordered H.R. 6409, as amended, to be favorably reported. The measure was reported to the Senate on August 13, 1982 (S. Rept. 97–525). The Senate passed the

bill on August 19, 1982 with the amendment and adopted S. Res. 448—a budget waiver which allows authorization for appropriation of $10 million for expenses, personnel and exhibits, and notes that the pavilion is to be constructed with local funds.

The House concurred with the Senate amendment. The bill became law (Public Law 97–254) on September 13, 1982.

F. RESOLUTIONS

1. Africa

Commending the Government of Zimbabwe

Senate Resolution 500 expresses the sense of the Senate that the Government of Zimbabwe be commended for ongoing efforts to protect the lives of two Americans, two Australians, and two British citizens kidnapped on July 23, 1982, and to bring this incident to a positive conclusion. The measure also urges the President to continue to be supportive of Zimbabwe in this matter, and directs that this resolution be transmitted to the Government of Zimbabwe.

Senator Hayakawa introduced S. Res. 500 on December 3, 1982, for himself and others. The measure was referred to the Foreign Relations Committee, which reported it out favorably on December 7, 1982 (without a written report). The Senate agreed to S. Res. 500 by voice vote on December 16, 1982.

2. Asia

Centennial Anniversary of Diplomatic Relations Between the United States and Korea

Senate Concurrent Resolution 84 expresses the sense of the Congress that the one-hundredth anniversary of the establishment of diplomatic relations between the United States and Korea is an occasion of special historic significance. The resolution also communicates to the National Assembly of the Republic of Korea, and to the people of Korea, the wishes of the United States Congress and the American people for a peaceful and prosperous future.

S. Con. Res. 84 was introduced by Senator Hayakawa and others on April 27, 1982. On the same day, the resolution was considered and reported by the Foreign Relations Committee (without a written report). On April 29, the Senate agreed to S. Con. Res. 84 by voice vote and on May 4, 1982 the resolution was agreed to by the House.

Thai Bicentennial

Senate Concurrent Resolution 98 expresses the sense of Congress on the occasion of Thailand's bicentennial. It extends to the Thai nation warmest congratulations on the two-hundredth anniversary of the Chakri Dynasty and the designation of Bangkok as the capital city of Thailand. It was introduced on May 21, 1982, by Senator Percy and six cosponsors, and referred to the Committee on Foreign Relations. On May 26, 1982, it was reported to the Senate by Senator Baker for Senator Percy without amendment (no written report). On June 9, the Senate considered the measure and agreed to it by voice vote. The House called up S. Con. Res. 98 by unanimous consent on June 23, 1982, and agreed to the measure, 398–1.

U.S. Submarine-Japanese Freighter Collision

Senate Resolution 115 concerns the collision in the East China Sea on April 9, 1981, between a U.S. nuclear-powered submarine and a Japanese freighter which resulted in the loss of two Japanese lives. The resolution expresses the United States' (1) profound regret for the loss of Japanese life and property, (2) sympathy to the families of the persons whose lives were lost, and (3) assurance to the Japanese people and Government that the incident will be fully investigated and a full explanation provided. Senator Hayakawa introduced S. Res. 115 for himself and others on April 27, 1981. The Foreign Relations Committee reported the measure favorably (without a written report) on April 29, 1981. On the same day the Senate agreed to S. Res. 115, 92–0.

Americans Missing and Unaccounted for in Southeast Asia

Senate Concurrent Resolution 131 reaffirms the commitment of the Congress to locating and repatriating Americans unaccounted for in Southeast Asia; expresses appreciation to the Lao Government for its expressed willingness to help; supports the President's actions to locate and return missing Americans; and urges the United States and Laotian Governments to move, with dispatch, to cooperate in this effort.

On December 3, 1982 S. Con. Res. 131 was introduced by Senator Hayakawa and 41 others. On December 7 the Foreign Relations Committee ordered it favorably reported with amendment and on December 8, 1982 the resolution was reported to the Senate (without written report). On December 16, 1982 S. Con. Res. 131 was agreed to in the Senate, with amendments and with a preamble, by voice vote and the measure was referred to the House Committee on Foreign Affairs on December 17. On that date the committee was discharged and S. Con. Res. 131 was agreed to in the House by voice vote.

3. Europe

Imprisonment and Treatment of Dr. Viktor Brailovsky

Senate Concurrent Resolution 5 expresses the sense of Congress that the President express to the Soviet Union the opposition of the United States to the imprisonment and treatment of Dr. Viktor Brailovsky, and urge the Soviet Government to release him and allow him to emigrate to Israel to join his family, in accordance with various Soviet commitments under international law regarding the protection of human rights. Senator Lugar introduced S. Con. Res. 5 on February 3, 1981, for himself and others. The Committee on Foreign Relations reported out the measure favorably on June 17, 1981, without amendment, but with amendments to the title and preamble (no written report). The Senate agreed to this measure, as amended, by voice vote on June 19, 1981. In the House an identical measure, H. Con. Res. 50, had been introduced on February 3 and agreed to by voice vote on April 7, 1981.

Freedom of Worship in the Ukraine

Senate Concurrent Resolution 18 expresses the sense of Congress that the President shall take steps to secure freedom of worship in the Ukraine and bring to the attention of national and international reli-

gious councils Soviet violations of basic human rights. S. Con. Res. 18 was introduced on April 27, 1981 and sponsored by Senator Goldwater with 14 cosponsors. On June 17, 1981, S. Con. Res. 18 was reported to the Senate from the Committee on Foreign Relations with amendment (without a written report). On June 19, 1981 it was considered in the Senate and was amended and agreed to. On June 22, 1981, S. Con. Res. 18 was referred to the House Committee on Foreign Affairs. On September 23, 1981, the measure was reported to the House as H. Rept. 97–860 and was agreed to on September 30, 1982.

Situation in Poland

Senate Resolution 103 expresses the sense of the Senate concerning the situation in Poland. S. Res. 103 states that the Senate believes that Poland's problems can and should be solved by the Polish people themselves without any outside intervention (as the outside intervention would be regarded as a violation of existing international law including the United Nations Charter and the Helsinki Final Act), or officially sanctioned internal use of force, as the United States could not be indifferent to either development, which could have grave consequences for the entirety of East-West relations. S. Res. 103 concludes by stating that the Senate supports President Reagan in his efforts to work with other nations to ease Poland's economic difficulties, providing that repression or foreign intervention do not occur. S. Res. 103 was introduced on March 27, 1981 and sponsored by Senator Percy and 21 others, and was agreed to without referral to committee, by a vote of 96–0.

Imprisonment of Anatoly Shcharansky

Senate Resolution 131 expresses the sense of the Senate on the subject of the imprisonment in the Soviet Union of Anatoly Shcharansky and resolves that Anatoly Shcharansky be released from prison, be given proper medical treatment and be permitted to emigrate to Israel. The Senate also urged that President Reagan, the Secretary of State, and the U.S. Delegation to the Current Madrid Conference on Security and Cooperation in Europe continue to express at every suitable opportunity, and in the strongest terms, the opposition of the United States to the imprisonment of Anatoly Shcharansky. Finally, S. Res. 131 states that the Secretary of the Senate shall transmit copies of this resolution to the Soviet Ambassador to the United States and to the Chairman of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics. S. Res. 131 was introduced on May 12, 1981 and sponsored by Senator D'Amato and 73 others, and was agreed to without referral to committee.

Case of Andrei Sakharov

Senate Concurrent Resolution 58, concerning the case of Andrei Sakharov, was introduced by Senator Tsongas on December 16, 1981. Mr. Sakharov, a leading scientist and human rights activist, is considered to be the foremost symbol of the Helsinki accords and the fight for individual freedom in the U.S.S.R. Mr. Sakharov was exiled to the city of Gorki on January 22, 1980, and during his exile has been subjected to various forms of government harassment.

Pursuant to the recent release of Mr. Sakharov's daughter-in-law, Liza Alexseyeva, by the Soviet Union, the resolution expressed the

sense of the Congress with respect to the continued internal exile and treatment by the Government of the Soviet Union of Andrei Sakharov and his wife, Yelena Bonner. The resolution called for the President, acting directly or through the Secretary of State, to take the following actions: to protest in the strongest possible terms and at the highest levels of government the continued internal exile of Andrei Sakharov, to call upon all other signatory nations of the Final Act of the Conference on Security and Cooperation in Europe to join such protests; and to inform the Government of the Soviet Union that the Government of the United States, in evaluating its relations with other countries, will take into account the extent to which such countries honor their commitments under international law, including commitment with respect to the protection of human rights. The Congress considers the Soviet Union's treatment of the Sakharovs to be in violation of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Final Act of the Conference on Security and Cooperation in Europe, to which the Soviet Union is a party.

The resolution was agreed to without amendment by the House on December 16.

Urging the Soviet Union To Allow Ida Nudel To Emigrate

Senate Concurrent Resolution 69 states the sense of the Senate that the President should continue to express the opposition of the United States to the continued forced exile of Ida Nudel by the Soviet Union; urge the Soviet Government to provide her with adequate medical care and allow her to emigrate to Israel in accordance with the Final Act of the Conference on Security and Cooperation in Europe, the U.N. Declaration of Human Rights, and the International Covenant on Civil and Political Rights; and inform the Soviet Government that the United States will take into account the extent to which countries honor their commitments under international law, especially regarding the protection of human rights, in evaluating its relations with these countries.

Senator Tsongas introduced S. Con. Res. 69 on March 15, 1982, for himself and others. The Foreign Relations Committee reported the measure on April 1, 1982 (no written report) and the Senate agreed to the measure that same day. S. Con. Res. 69 was referred to the House Foreign Affairs Committee, which subsequently reported out a similar resolution, H. Con. Res. 330 on May 5, 1982. The House passed H. Con. Res. 330 on September 30, 1982 and referred it to the Senate. The Senate agreed to H. Con. Res. 330 on December 21, 1982, by voice vote.

Situation of the Vashchenko and Chmykhalov Families

Senate Concurrent Resolution 76 expresses the sense of the Senate with respect to the situation of two Russian families, the Vashchenkos and Chmykhalovs, who have sought refuge in the U.S. Embassy in Moscow because of the suppression of their Pentecostal faith by the Government of the Soviet Union. The resolution expresses deep concern over the families' deprivation of religious freedom and the refusal of the Soviet Government to permit their emigration. It urges the President to take necessary action to ensure that the families will be permitted to stay in the U.S. Embassy until they are permitted to

emigrate, and to ensure that they will be assisted and courteously treated during their residence in the Embassy.

On March 22, 1982 S. Con. Res. 76 was introduced in the Senate, sponsored by Senator Levin and others and on March 23, the concurrent resolution was considered by the committee and reported (no written report).

On March 23, 1982 H. Con. Res. 100, a companion measure to S. Con. Res. 76, was ordered reported with amendments by the House Committee on Foreign Affairs and was agreed to as amended, by the House, 373–1. On March 25, 1982 H. Con. Res. 100 was agreed to by the Senate without referral to committee. (S. Con. Res. 76 was indefinitely postponed the same day.)

Congratulating the Government and People of Spain on Commitment to Democracy

House Concurrent Resolution 85 expressed the sense of Congress that: (1) the restoration of the business of the Spanish Parliament after its military seizure symbolizes the strength of the Spanish democracy and inspires freedom-loving people and (2) the continued democratic political development in Spain contributes to United States and Western European foreign policy interests. It also congratulated Spain on its commitment to democracy.

Introduced on March 4, 1981, by Representative Zablocki, H. Con. Res. 85 was called up by committee discharge and agreed to by voice vote. On March 5, 1981 it was referred to the Committee on Foreign Relations and on March 24, 1981, the resolution was favorably reported to the Senate without a written report. The Senate considered the measure on March 26, 1981, and approved it by voice vote.

Imprisonment of Yuriy Shukhevych

House Concurrent Resolution 111 expresses the sense of Congress that the Soviet Union should provide proper medical care to Yuriy Shukhevych, that he should be released from prison, and that he and his family should be permitted to emigrate from the Soviet Union. Mr. Shukhevych, a Ukrainian nationalist and son of a Ukrainian freedom fighter, was imprisoned in 1948 at the age of 14 and since that time has spent a total of 4 years out of Soviet prisons. The sole basis for his imprisonment appears to be his refusal to denounce his nationalist ideals and the activities of his late father.

H. Con. Res. 111 was introduced April 8, 1981. On July 28 and 30, 1981 there were public hearings on H. Con. Res. 111 by the House Committee on Foreign Affairs. The measure was agreed to by the House on September 21, and was referred to the Foreign Relations Committee on September 23, 1981. The committee ordered the resolution favorably reported on June 15, 1982 and on the following day, H. Con. Res. 111 was reported (with no written report). On June 21, 1982, the Senate agreed to H. Con. Res. 111 by voice vote.

Violations of Human Rights by the Soviet Union in the Ukraine

House Concurrent Resolution 205 expresses the sense of Congress with respect to the violations of human rights by the Soviet Union in the Ukraine. The concurrent resolution expresses Congress's resolve that the President should proclaim November 9, 1982, the sixth

anniversary of the establishment of the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords, as a day honoring that group. H. Con. Res. 205 also expresses Congress's resolve that the President should ask the Soviet Union to release the incarcerated members of the Ukrainian Helsinki Monitoring Group, and to cease the persecution and the imprisonment of those citizens in the Ukraine asking for the institution of national, civil, and individual rights in accordance with the Soviet constitution, the United Nations Charter, the Universal Declaration of Human Rights, and the Helsinki Accords.

H. Con. Res. 205 was introduced on October 20, 1981 and on May 4, 1982 it was agreed to by the House as amended by the House Foreign Affairs Committee. The measure was referred to the Foreign Relations Committee on May 5, 1982, and was ordered favorably reported on June 15. On June 16, 1982, H. Con. Res. 205 was reported (no written report), and was agreed to by the Senate on June 21, 1982, without debate.

Soviet Treatment of Paritsky Family

House Concurrent Resolution 215 expresses the sense of the Congress with respect to the imprisonment and treatment by the Soviet Union of the Paritsky family. The resolution calls on the President to take the following actions: To continue to express at every suitable opportunity and in the strongest terms the opposition of the United States Government to the imprisonment of Alexander Paritsky; to urge the Government of the Soviet Union to release Alexander Paritsky from prison, halt all further harassment of Alexander Paritsky and his family, and permit them to emigrate to Israel in accordance with the Final Act of the Conference on Security and Cooperation in Europe and other international agreements; to inform the Government of the Soviet Union that the Government of the United States, in evaluating its relations with other countries, will take into account the extent to which such countries honor their commitments under international law, especially commitments with respect to the protection of human rights.

Alexander Paritsky applied to the Soviet authorities for permission to emigrate with his family to Israel in 1976. This permission was denied. Paritsky was subsequently dismissed from his position as a scientist at the Kharkov Institute for Metrology in 1977. The Paritsky family suffered various forms of harassment in the year following, culminating in the arrest of Alexander Paritsky on August 28, 1981, for anti-Soviet agitation and propaganda. He was tried in November without the legal counsel of his choice, and sentenced to 3 years imprisonment.

The resolution was introduced in the House on November 10, 1981, and adopted on December 9. Senator Tsongas had introduced a companion resolution (S. Con. Res. 47) in the Senate on November 10, which the Foreign Relations Committee approved with amendments December 8 and reported favorably December 10. Senators Percy and Tsongas then supported the adoption of the House resolution by the Senate; it was agreed to on December 15, 1981. S. Con. Res. 47 was indefinitely postponed.

Imprisonment of Mart Niklus

House Concurrent Resolution 218 expresses the sense of the Congress with respect to the imprisonment and treatment by the Government of the Soviet Union of Mart Niklus, an Estonian human rights leader. The concurrent resolution states that it is the sense of Congress that the President, acting directly or through the Secretary of State should continue to express at every suitable opportunity and in the strongest terms the opposition of the United States Government to the imprisonment and treatment of Mart Niklus. It also states that the President should urge the Government of the Soviet Union to release Mart Niklus from imprisonment and provide him with proper medical care and permit Mart Niklus to emigrate to Sweden to join a relative there in accordance with the Final Act of the Conference on Security and Cooperation in Europe, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights. It also resolves that the Government of the Soviet Union be informed that the Government of the United States, in evaluating its relations with other countries, will take into account the extent to which such countries honor their commitments under international law, especially commitments with respect to the protection of human rights. A copy of the resolution was to be transmitted to the President with the request that he further transmit such copy to the Ambassador of the Union of Soviet Socialist Republics to the United States.

H. Con. Res. 218 was introduced May 12, 1981. On April 1, 1982, it was ordered reported with amendment by the House Committee on Foreign Affairs, and was agreed to by the House, as amended on May 4, 1982. On May 5, 1982, the measure was referred to the Committee on Foreign Relations. The committee ordered H. Con. Res. 218 favorably reported on June 15 and on June 16, the resolution was reported (no written report). On June 21, 1982, H. Con. Res. 218 was agreed to by the Senate by voice vote.

Concerning Yuri Balovlenkov

House Concurrent Resolution 385 expresses the sense of the Congress that the Government of the Soviet Union should immediately allow Yuri Balovlenkov to emigrate. Mr. Balovlenkov, married to an American citizen, was conducting a hunger strike to protest a 4-year delay in allowing him to be reunited with his family and was near death. The resolution points out that the Soviet Union is a party to the Helsinki Accords, recognizing the freedom to emigrate and providing for family reunification.

H. Con. Res. 385 was introduced on July 28, 1982 and on August 5 it was agreed to by the House. On August 9, 1982 H. Con. Res. 385 was referred to the Foreign Relations Committee, which ordered it reported the following day. The measure was reported on August 13, 1982 (no written report) and the Senate agreed to H. Con. Res. 385 on August 18, 1982, by voice vote.

Purge of Rikizo Hirano

Senate Resolution 83 expresses the sense of the Senate with respect to the purge from the Japanese Government in 1948 of Rikizo Hirano by the office of the Supreme Commander for the Allied Powers (SCAP). Rikizo Hirano, the Japanese Minister of Agriculture and Forestry, was narrowly voted down by his colleagues in the Cabinet.

The Tokyo District Court overturned the controversial purge vote and the case automatically was referred to the Supreme Court of Japan. However, an official of the SCAP arbitrarily ordered a reversal of the District Court's decision and Mr. Hirano was therefore permanently disqualified from holding public office, incurring a stigma of dishonor that he carried for the remaining 34 years of his life. At his death in December 1982, he had expressed the desire to redeem his good name and to erase the only blot in his exemplary and outstanding career. S. Res. 83 states that the intervention of the office of the SCAP in Mr. Hirano's case was without basis or justification, improper and in violation of its own rules; and urges that the records of U.S. Government agencies involved be corrected to clear Rikizo Hirano of any wrongdoing. Introduced on February 24, 1981 by Senator Matsunaga. S. Res. 83 was reported by the Foreign Relations Committee on February 11, 1982 (without written report) and was agreed to in the Senate, by voice vote, on March 2, 1982.

One Thousand Three Hundredth Anniversary of Bulgaria

Senate Resolution 152 expresses the sense of the Senate that the Bulgarian people be congratulated on the occasion of their one thousand three hundredth anniversary of statehood; and that they be further commended for their heroic and compassionate defense of the human rights of their Jewish community during the Nazi holocaust.

S. Res. 152 was sponsored by Senators Boschwitz, Sarbanes, and Pressler on June 11, 1981. On June 16, the resolution was ordered reported with amendments, 15–0. On June 17, S. Res. 152 was reported with an amendment and amendments to the preamble (no written report) and on June 19, 1981, was agreed to as amended.

Concerning Benedict Scott

Senate Resolution 198 expresses the sense of the Senate that Benedict Scott (Vytautas Skuodis) be released from prison in the Soviet Union and be allowed to emigrate. S. Res. 198 was introduced on July 30, 1981, sponsored by Senator Percy, and seven others.

On September 15, 1981, S. Res. 198 was ordered reported, 17–0, by the committee. On September 16, the resolution was reported (no written report) and was agreed to on September 22, 1981.

Food Emergency in Poland

Senate Resolution 201 commends private relief agencies for their emergency food program to Poland. and encourages Americans to support this effort, expresses support for the President in his efforts to be responsive to the Polish food emergency, and urges all European governments and peoples to assist in alleviating this emergency. This measure was introduced by Senator Percy for himself and 13 others on July 31, 1981, and was agreed to without referral to the Foreign Relations Committee.

Current Food Crisis in Poland

Senate Resolution 220 expresses the support of the Senate for the growing acceptance of principles of freedom and democracy in Poland, commends the President for extending agricultural credits and aid to the Polish people, urges the President to develop a policy strategy to extend additional food credits to Poland commensurate

with United States humanitarian concerns, national interests, and domestic budgetary constraints, and urges the President to press Canada, the United States' European allies, the Soviet Union, and other nations and private groups for further economic assistance to Poland. S. Res. 220 was introduced by Senator D'Amato for himself and 25 others on October 1, 1981, and was agreed to without referral to committee.

Hunger Strike by Andrei Sakharov

Senate Resolution 246 expresses the sense of the Senate that Congress associates itself fully and completely with Andrei Sakharov's hunger strike and urges the Soviet Union to permit his stepson's fiancee, Yelizaveta Alekseyeva, to emigrate. Senator Moynihan introduced this measure on November 21, 1981. On November 24 the Committee on Foreign Relations was discharged and the Senate agreed to the measure, without amendment and with a preamble. The House passed a similar resolution, H. Con. Res. 286, on December 9, 1981.

Imposition of Martial Law in Poland

Senate Resolution 268 expresses the sense of the Senate that the American people desire an early, peaceful and popularly supported resolution of the problems in Poland and deplore the recent imposition of martial law and related acts; that these recent events call into question further assistance to Poland except for humanitarian programs; that the Polish people have the right to resolve their problems without external interference of any kind; that domestic support for continued U.S. dealings with the Polish Government will be directly related to the avoidance of bloodshed and violence in Poland and demonstrated respect for the full and legitimate role of Solidarity and the commitment to continuation of reforms in Poland; that the President and Secretary of State should continue to stress this position in all dealings with Polish officials; and that the President should consult with U.S. allies to develop a concerted and sustained response to the threat to democratization in Poland.

S. Res. 268 was introduced by Chairman Percy for himself and 53 others on December 15, 1981, and was agreed to 95–0, without referral to committee.

Rescue of Brig. Gen. James L. Dozier by the Italian Police

Senate Resolution 312 expresses the relief of the Senate over the safe rescue of Brigadier General James L. Dozier from Italian terrorists on January 28, 1982, and commends the General and his family for their courage and strength during the period in which he was held. The measure also congratulates and thanks the Government of Italy for its efforts in rescuing General Dozier. This resolution calls for the United States to take effective measures to protect U.S. military and diplomatic personnel abroad, working closely with friends and allies to combat all forms of international terrorism. Finally, the Secretary of State is instructed to transmit this resolution to the President with the request that it be transmitted to the Government of Italy.

S. Res. 312 was introduced by Senator Domenici for himself and others on February 2, 1982 and was agreed to on that date without referral to committee.

Concerning Yuri Badzyo

Senate Resolution 326 concerns the Soviet Union's imprisonment of Yuri Badzyo, a Ukrainian human rights leader. The resolution states that it is the sense of the Senate that the President, acting directly or through the Secretary of State, should express at every suitable opportunity, and in the strongest possible terms, the opposition of the United States Government to the imprisonment of Yuri Badzyo. The resolution calls on the President to urge the Government of the Soviet Union to release Yuri Badzyo from prison and halt all further harassment of Mr. Badzyo, his wife, and their children; and to inform the Soviet Government that the Government of the United States, in evaluating its relations with other countries, will take into account the extent to which such countries honor their commitments under international law, especially commitments with respect to the protection of human rights. The President is requested to transmit a copy of this resolution to the Ambassador of the Union of Soviet Socialist Republics to the United States.

S. Res. 326 was introduced on February 25, 1982 by Senator Tsongas. On June 15 the Committee on Foreign Relations ordered S. Res. 326 to be reported without amendment favorably. On June 16, 1982 the resolution was reported to the Senate (without written report) and on June 21, 1982 it was agreed to by voice vote.

Imposition of Martial Law in Poland and the Release of Lech Walesa

Senate Resolution 330 expresses the sense of the Senate concerning the imposition of martial law in Poland and the release of Lech Walesa. S. Res. 330 resolves that it is the sense of the Senate that Lech Walesa as well as others detained for political acts be released from detention forthwith; that Lech Walesa and other Solidarity members be permitted to participate in ongoing discussions and negotiations concerning the future of Solidarity, as well as the future of democratic reform in Poland; and that Lech Walesa and other Solidarity members be permitted to comment on the situation in Poland, and be allowed to travel freely both within Poland and abroad.

S. Res. 330 was introduced by Senator Heinz and others on March 2, 1982. On the same date it was agreed to without referral to committee by a vote of 94–0.

Emigration of Stolar Family To Israel

Senate Resolution 390 expresses the sense of the Senate that Abe Stolar and his family be permitted to emigrate from the Soviet Union to Israel, and that the President, through the Secretary of State, should express at each opportune moment U.S. opposition to the forced captivity of the Stolar family.

S. Res. 390 was introduced on May 11, 1982 by Senator Levin, for himself and others. The measure was referred to the Foreign Relations Committee, which reported it out favorably on June 16, 1982 (without a written report). S. Res. 390 was agreed to by the Senate on June 21, 1982.

Emigration and Religious and Cultural Freedom in Romania

Senate Resolution 445, an original resolution, was reported by Senator Dole from the Finance Committee on August 13, 1982 (S. Rept. 97–522). The purpose of the resolution is to express the sense of the

Senate with respect to (1) upcoming United States-Romanian consultations on problems of emigration procedures, and (2) Romanian Government treatment of ethnic minorities and religious groups. As pointed out in the Preamble, Romania receives most-favored-nation status in its trade and commercial relations with the United States. The Trade Act of 1974 conditions such status on the freedom of Romanian citizens to emigrate to the country of their choice. Yet continuing reports of restrictions on the freedom of emigration, as well as on the repression of religious and cultural freedom, are received from Romania. The resolution thus states that U.S. participants in the consultations with Romania should seek credible assurances that Romania will review its emigration procedures with a view toward clarifying and simplifying them; maintaining a steady consideration of applications; eliminating unreasonable preapplication reviews and waiting periods; and reducing the backlog, especially of those applications that have been pending for a year or longer. Further, the resolution urges the U.S. Government to pursue in appropriate international fora the continued curtailment of ethnic and religious rights in Romania. S. Res. 445 was agreed to in the Senate, by voice vote, on September 24, 1982.

Polish Solidarity Day

Senate Resolution 501 expresses the sense of the Senate that the American people continue to protest martial law in Poland and wish to see it ended, that detainees in Poland be released, and that a dialog between the Polish Government, the Church and Solidarity be resumed. The measure also urges the President to proclaim a national day of solidarity and prayer with the Polish people on the first anniversary of the imposition of martial law in Poland.

Senator Percy introduced S. Res. 501 for himself and 43 cosponsors on December 6, 1982. The Senate agreed to the measure on December 7, 1982, by a vote of 96–0.

4. Middle East

Assassination of Mohammed Anwar El-Sadat

Senate Concurrent Resolution 39, expressing the great sorrow felt by the U.S. Congress on the assassination of Egyptian President Anwar el-Sadat, was introduced on October 6, 1981. The resolution praised el-Sadat's statesmanship, leadership, desire for peace and friendship to the United States and reaffirmed U.S. support for the Government of Egypt.

Personal eulogies were delivered on the floor by Senators Baker, Robert C. Byrd, Percy, Kennedy, Matsunaga, Ford, Thurmond, Dole, Williams, Randolph, and Jepsen.

With no objection the resolution was unanimously approved and the Secretary of State was authorized to transmit an enrolled copy to the family of Anwar el-Sadat. A similar measure, H. Con. Res. 200 had been introduced and approved unanimously by the House. The House then concurred in S. Con. Res. 39.

Persecution by Iran of Persons of the Baha'i faith

Senate Concurrent Resolution 73 expresses the sense of Congress on the religious persecution by Iran of persons of the Baha'i faith. Congress condemns this religious persecution and holds Iran responsible

for upholding the rights of all its citizens. S. Con. Res. 73 expresses the hope that the discrimination against, and executions of, the Baha'is will cease and it urges Iran to end the executions. S. Con. Res. 73 was introduced on March 17, 1982 and sponsored by Senator Heinz and 30 others. On May 28, 1982, S. Con. Res. 73 was reported to the Senate from the Committee on Foreign Relations with amendment (without written report). On June 30, 1982 the measure was considered, amended, and agreed to in the Senate and on July 12, 1982 it was referred to the House Committee on Foreign Affairs. On September 30, 1982 the House agreed to the measure, in lieu of H. Con. Res. 378.

Commending Special Envoy Philip Habib

Senate Concurrent Resolution 118, commending Special Envoy Philip Habib for his efforts in negotiating Palestinian force evacuation from Beirut and for his continued work in resolving the political conflicts in the Middle East, was introduced by Senator Dole (with Senators Percy and Pell) on September 8, 1982, and was agreed to by the Senate without referral to a committee.

House Concurrent Resolution 397, similarly expressing deep gratitude to Special Envoy Habib, was introduced on August 19, 1982, and referred to the House Foreign Affairs Committee. On the same day, it was called up by unanimous consent, agreed to by voice vote, sent to the Senate, and referred to the Foreign Relations Committee. On September 16, 1982, the Senate agreed to H. Con. Res. 397 by voice vote.

Release of the American Hostages Held Captive in Iran

Senate Resolution 28 expresses the sense of Congress concerning the release of the American hostages held captive in Iran and its appreciation for the efforts of former President Carter, former Secretary of State Edmund Muskie, and former Deputy Secretary of State Warren Christopher, along with all of the Government officials who were involved in the different phases of the hostage crisis, and who made the preparations for the hostages' homecoming. In addition, S. Res. 28 expressed the Senate's acknowledgment of the assistance given by the Government of Algeria during the negotiations with Iran and also expresses the recognition of the Senate of those who gave their lives in the effort to rescue the American hostages. S. Res. 28 was introduced on January 21, 1981 by Senator Baker and 96 others and was agreed to without referral to committee.

Current Crisis in Lebanon

Senate Resolution 144 expresses the support of the Senate for diplomatic efforts to resolve the current crisis in Lebanon and states that the U.S. Government should continue to pursue a comprehensive and coordinated policy in Lebanon guided by six principles: (1) Establishment of an immediate and effective cease-fire throughout Lebanon; (2) resolution of the issue of the Syrian missiles deployed in Lebanon; (3) freedom, security and opportunity for Christian and all other Lebanese communities, including the Moslem, Druze, and Jewish communities in Lebanon; (4) reaffirmation of the historic United States-Lebanon relationship and strengthening the longstanding commitment of the United States to the independence, sovereignty, and territorial integrity of Lebanon, without partition, free from terrorism and violence, and free to determine its future without Soviet or other

outside interference; (5) generous international support for relief, rehabilitation, and humanitarian assistance for Lebanon, particularly for those Lebanese citizens who have suffered from the terrorism and violence of recent events; (6) respect for and strengthening of the authority of a Lebanese Government, based on open national elections free from external interference which will be able to preserve security through its national army and its security forces without outside military presence.

S. Res. 144 was introduced on May 21, 1981, by Senator Kennedy and others. On June 16, 1981, the Foreign Relations Committee ordered S. Res. 144 with amendments, by a 15–0 vote. On June 17 the resolution was reported as amended by the committee (no written report). On June 25, 1981, S. Res. 144 was agreed to as amended, by a voice vote.

Prohibition of Libyan Oil Imports

Senate Resolution 344 (also known as the Hart amendment to S. 1193) expresses Senate support for the March 10, 1982 decision by President Reagan to prohibit imports of Libyan oil into the United States and to deny licenses for the export to Libya of U.S. origin oil and gas technology and equipment that is not readily available from sources outside the United States. The Executive's decision, made after consultation with Congress and discussions with appropriate foreign governments, was intended as a response to acts of international terrorism aided and abetted by the Libyan regime, in order to avoid contributing, through trade, to resources used by the Libyan leadership's support of terrorist activities. Introduced on March 17, 1982, by Senator Hart and others, S. Res. 344 was agreed to by the Senate on March 18, 1982, without referral to committee, 94–0.

Commendation of Israel on the Completion of the Current Phase of the Camp David Agreement

Senate Resolution 374 commends the Government and people of Israel for completing its withdrawal from the Sinai Peninsula on April 25, 1982, as called for in the Camp David Accords, and expresses confidence that Israel and Egypt will continue the process of normalization and realize fully the fruits of peaceful coexistence. Senator Baker introduced S. Res. 374, for himself and 35 others, on April 26, 1982 and the Senate agreed to the measure on that date, wthout referral to committee.

5. Western Hemisphere

Patriation of the Canadian Constitution

Senate Concurrent Resolution 83 expresses Congress' pleasure at the proclamation of Queen Elizabeth II of Canada announcing the patriation of the Canadian Constitution from the United Kingdom to Canada. It also extends the warmest congratulations to the Parliament, Government, and people of Canada on the attainment of constitutional patriation. It directs the Secretary of the Senate to transmit a copy of the concurrent resolution to the President, with a request that such copy be further transmitted to the Government of Canada.

This resolution was introduced by Senator Baucus. It commends the constitutional developments by which Canada gained full control over

its Constitution, including the amending process. As a result of the patriation of the Canadian Constitution, and the passage of the Constitution Act of 1982, Canada became fully independent in a legal sense. Henceforth the Canadian Constitution will be amended in Canada, not by the British Parliament.

The resolution was sent to the desk, with a request for immediate consideration. Following two statements it passed the Senate on April 26, 1982 without referral to the committee. The House voted to concur in the Senate resolution on April 27.

Murder of Americans in El Salvador

Senate Resolution 250 expresses the deep concern of the Senate over the failure of the Government of El Salvador to bring to justice those responsible for the murders of six Americans in that country; urges that government to use every legal means available to bring about a just and expeditious resolution of these cases; welcomes the request of El Salvador for U.S. technical assistance in these investigations, and urges the administration to press for a just and expeditious resolution.

S. Res. 250 was introduced by Senator Kennedy for himself and others on December 2, 1981, and was agreed to without referral to committee, after an amendment introduced on behalf of Senator Percy was accepted.

U.S. Policy Regarding the Falkland Islands

Several resolutions were introduced after the Argentine seizure of the Falkland Islands on April 2, 1982. Senator Moynihan introduced Senate Resolution 368 on April 21, 1982, urging the President to embargo trade with Argentina if Argentina does not withdraw its troops from the Falklands. On April 27, 1982, Senator Biden introduced Senate Resolution 378, urging a statement of U.S. policy regarding the Falklands.

On April 29, 1982, Senator Biden introduced, for himself and others, Senate Resolution 382, providing that the United States cannot stand neutral with regard to U.N. Security Council Resolution 502, which called for an immediate Argentine withdrawal and urged that Argentina and Britain seek a diplomatic solution to the issue. The resolution also recognizes Britain's right to self defense under the U.N. Charter, and that the United States should prepare to further all efforts to achieve a full Argentine withdrawal under the U.N. resolution. The Senate agreed to this resolution on April 29, 1982, by a vote of 79–1, without referral to committee.

6. Miscellaneous

Improve the International Nonproliferation Regime

Senate Concurrent Resolution 24, introduced by Senator Glenn and others on July 13, 1981, urged the President to strengthen the international nonproliferation regime by (1) reopening the nuclear suppliers conference with a view to achieving consensus on nuclear transfers, and to consider tightening restrictions on dangerous nuclear trade through a number of specified measures; (2) proposing through the U.S. mission to the International Atomic Energy Agency the improvement of IAEA safeguards; (3) formulating a clear U.S.

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policy; (4) starting to plan for a world nuclear energy policy conference; and (5) reaffirming U.S. policy of cooperation in the peaceful uses of nuclear energy.

The Foreign Relations Committee considered the measure on July 14, 1981, and in executive hearings on July 15 and 16. The committee amended the resolution and reported the amended version favorably to the Senate on July 16, 1981 (without a written report).

Senate Resolution 179, introduced by Senator Glenn and others on July 17, 1981, is similar to S. Con. Res. 24. The passage of S. Res. 179 was expedited so that nuclear nonproliferation would be highlighted in response to the President's July 16 statement of policy, regarded by many as insufficiently specific, and in light of the President's upcoming trip to the economic summit meeting in Ottawa, Canada.

S. Res. 179 was agreed to in the Senate, 88–0, on July 17, 1981, without referral to committee. S. Con. Res. 24 was indefinitely postponed on the same day.

Nuclear Fuel Exports

Senate Concurrent Resolution 96 reaffirms S. Res. 179 and H. Res. 177, both passed on July 17, 1981, calling on the President to strengthen measures preventing the proliferation of nuclear weapons, and urges the President to seek agreement at the Versailles economic summit conference from all nuclear supplier nations to export nuclear fuel, equipment and technology only to those non-nuclear weapon states that have accepted full-scope safeguards of the International Atomic Energy Agency. Senator Glenn introduced S. Con. Res. 96 on May 12, 1982, for himself and others. The Committee on Foreign Relations reported out the measure, with a preamble, on May 20, 1982 (without written report). The Senate agreed to S. Con. Res. 96 on May 27, 1982, 96–0. In the House, an identical measure, H. Con. Res. 340, had been introduced on May 12 and ordered to be reported by the Foreign Affairs Committee on May 19. The House passed H. Con. Res. 340 on May 20, 1982.

Supporting the President's Peace Initiative

In a November 18, 1981 speech before the National Press Club, President Reagan introduced a four-point plan on arms reduction. These points were (1) cancellation of planned deployment of U.S. IRBMs in Europe if the Soviets dismantle their SS–20, SS–4, and SS–5 missiles; (2) commencement of Strategic Arms Reduction Talks (START); (3) reduction of conventional forces and (4) improved East-West communication to forestall misunderstandings which might lead to conflict.

On November 19, House Concurrent Resolution 224 was introduced by Representative Zablocki. The resolution commended the President and reaffirmed the desire of Congress to work with the President to reduce and eliminate the threat of nuclear war.

The House passed the resolution with a vote of 382 yeas, 3 nays, and 14 Representatives voting "present." The Senate adopted the House version with a vote of 95 yeas.

Debate on the resolution indicated overwhelming bipartisan support in both Houses for the President's initiative.

Membership in the United Nations General Assembly

House Concurrent Resolution 322 expresses the sense of Congress that if Israel is illegally denied its right to participate in the U.N. General Assembly or in any specialized agency of the United Nations, the United States should: (1) suspend its participation in the General Assembly or specialized agency; and (2) withhold its assessed contribution to the U.N. General Assembly or specialized agency until the illegal action is reversed. The Secretary of State was to communicate this congressional resolve to member states of the U.N. General Assembly.

S. Con. Res. 68, similar to H. Con. Res. 322, was introduced by Senator Moynihan on March 11, 1982. It expressed the sense of Congress that if Israel or any other democratic state is illegally denied its right to participate in the U.N. General Assembly, the United States should suspend its participation and withhold its assessed contribution until the illegal action is reversed. The Foreign Relations Committee considered the resolution on March 23, 1982. Clarifying amendments by Senator Percy and amendments by Senator Pressler expanding the scope of the resolution to include U.N. specialized agencies were approved. A substitute amendment by Senator Dodd which did not name Israel, referring only to "a democratic state" and threatening "serious consequences" rather than specifying U.S. responses was rejected by the committee, 7–3. The prevailing committee view was that Israel was under attack at the United Nations and the resolution should make clear the response of the U.S. Congress to such an attack. The committee report made clear that the resolution was not intended to apply to South Africa. S. Con. Res. 68 was favorably reported to the Senate on April 1, 1982 (S. Rept. 97–328) and the Senate agreed to it on April 14 by voice vote.

On May 4, 1982 the House Foreign Affairs Committee ordered reported H. Con. Res. 322 which was agreed to in the house on May 12 by a vote of 401–3. The resolution was referred to the Foreign Relations Committee on May 13 and on December 1, 1982 the committee was discharged and H. Con. Res. 322 was agreed by voice vote in the Senate.

Concerning Whaling

Senate Resolution 148 expresses the sense of the Senate concerning its desire for the United States delegation to the International Whaling Commission to work toward the adoption of a moratorium of indefinite duration on the commercial killing of whales. S. Res. 148 was introduced on June 2, 1981 and sponsored by Senator Packwood. On July 20, 1981 S. Res. 148 was agreed to by voice vote (no written report). The House adopted a similar resolution (H. Con. Res. 96) by voice vote on July 15, 1981.

Assassination of Turkish Consul General

Senate Resolution 320 expresses the sense of the Senate with respect to the assassination in Los Angeles on January 29, 1982, of Kemal Arikan, a Consul General of the Government of Turkey assigned to the United States. Responsibility for the slaying was claimed by the Justice Commandos of the Armenian Genocide. The resolution condemns in strongest terms the assassination, expresses sympathy to the

family of Kemal Arikan and to the people and Government of Turkey, and calls on U.S. law enforcement authorities to conduct an investigation of the case, prosecute the offenders, and take appropriate steps to deter further attacks. Introduced on February 11, 1982, by Senator Denton, S. Res. 320 was considered and agreed to by the Senate on the same day, without referral to committee.

International Red Cross Recognition of the Red Shield of David of the Magen David Adom

Senate Resolution 367 was introduced on April 20, 1982, by Senator Hawkins and others. The purpose of the resolution is to express the sense of the Senate with respect to recognition of the Red Shield of David of the Magen David Adom by the International Committee on the Red Cross. The Magen David Adom is the major medical, disaster and humanitarian service organization in Israel. The only requirement for membership in the League of Red Cross Societies not met by the Israeli organization is its use of the Red Shield of David as an emblem. Recognized emblems are accorded protection in times of conflict under the Geneva Conventions, and the atmosphere of conflict in the Middle East made it especially important that the emblem of the Magen David Adom have such international protection. S. Res. 367 urges the International Committee of the Red Cross and the League of Red Cross Societies to effect the formal recognition of the Red Shield of David. S. Res. 367, as amended by the Committee on Foreign Relations, was reported to the Senate on August 19, 1982 (without written report). The resolution, as amended, was agreed to in the Senate by voice vote on September 9, 1982.

7. Housekeeping Matters

A. STUDIES

1981 Funds for Inquiries and Investigations.—Senate Resolution 39 authorized $2,333,100 for the Committee on Foreign Relations and its subcommittees to continue inquiries into foreign affairs generally and international events as they affect future U.S. foreign policy. Of that amount, not to exceed $18,000 was to be available for the procurement of the services of individual consultants or organizations thereof. The resolution was reported by the Foreign Relations Committee as an original resolution on January 27, 1981 (S. Rept. 97–4), and referred to the Committee on Rules and Administration. In its report, the Foreign Relations Committee pointed out that in accordance with the requirement of section 10 of Public Law 96–508 and the policy of the Republican conference, the 1981 budget represented approximately a 10 percent cut in the committee's total authorized spending ceiling for fiscal year 1980, or $259,193 less. The Rules Committee held a public hearing on February 19, 1981, and on February 24 ordered the resolution favorably reported, without amendments (S. Rept. 97–14, February 24, 1981). The Senate considered the resolution on March 3, 1981, and S. Res. 39 was agreed to, 93–0.

1982 Funds for Inquiries and Investigations.—Senate Resolution 295 authorized $2.439,912 to be expended from March 1, 1982, to February 28, 1983, by the Committee on Foreign Relations and its sub-

committees to continue inquiries into foreign affairs generally and international events as they affect future U.S. foreign policy. The resolution was reported by the Foreign Relations Committee as an original resolution on January 28, 1982 (S. Rept. 97–310), and referred to the Committee on Rules and Administration. In its report, the Foreign Relations Committee pointed out that the requested budget total was only $106,812 above the previous year's level, representing a 4.5 percent increase and still $152,381 less than the fiscal year 1^80 level. The increase represented the fiscal year 1981 salary levels adjusted for the 1981 cost-of-living increase, coupled with a 5-month proposed cost-of-living increase for fiscal year 1982. The budget contained no increases in any of the other non-salary categories. The Rules Committee held a public hearing on February 11, 1982, and considered the resolution on February 26 and March 4. On the latter day, it ordered provisions of S. Res. 295 incorporated into an original resolution, S. Res. 333, authorizing expenditures by committees of the Senate (S. Rept. 97–318). S. Res. 333 was considered by the Senate on March 11, 1982, and was agreed to by voice vote.

B. PRINTING RESOLUTIONS

Printing of "Background Information on the Committee on Foreign Relations."—Senate Resolution 342 authorized the printing of "Background Information on the Committee on Foreign Relations, United States Senate" (5th Revised edition), as a Senate document with 2,500 additional copies of such document to be printed for the use of the committee. S. 342 was reported (no written report) on March 16, 1982 and was referred to the Committee on Rules and Administration. On May 26 that committee reported the resolution (S. Rept. 97–435) and it was agreed to on June 9, 1982 by voice vote.

Printing of "NATO Today: The Alliance in Evolution."—Senate Resolution 402 authorized the printing as a Senate document of the Foreign Relations committee print entitled "NATO Today: The Alliance in Evolution." On May 26, 1982 the Committee on Rules reported S. Res. 402 as an original measure (S. Rept. 97–439) in lieu of S. Con. Res. 85 submitted by Foreign Relations. The resolution authorized the printing of 1,500 copies as a Senate document and 2,000 additional copies for the use of the Foreign Relations Committee. The resolution was agreed to by voice vote on June 9, 1982.

C. WAIVER RESOLUTIONS

Section 402(a) of the Congressional Budget and Impoundment Control Act of 1974 provides that it shall not be in order in either the House or the Senate to consider any bill or resolution which directly or indirectly authorizes the enactment of new budget authority for a fiscal year unless that bill or resolution is reported on or before May 15 preceding the beginning of such fiscal year.

Consideration of IDA and AFDB Authorization.—The purpose of Senate Resolution 107, an original resolution reported by the Foreign Relations Committee, was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to S. 786, a bill authorizing U.S.

participation in the Sixth Replenishment of the resources of the International Development Association (IDA) and in the African Development Bank (AFDB) for fiscal year 1981. During the 96th Congress, the committee had reported S. 2422, a bill containing authorization language identical to that in S. 786, and the Senate had passed S. 2422, in compliance with section 402(a). But the House failed to take final action on S. 2422 and the bill had to be reintroduced and reconsidered in the 97th Congress. S. Res. 107 was ordered reported by committee vote on March 25 and April 1, reported to the Senate April 2 (without written report), referred to the Budget Committee April 2 and reported by the Budget Committee April 23. On April 29, 1981, S. Res. 107 was agreed to by the Senate, by voice vote.

Consideration of Implementation of Middle East Peace Treaty.—The purpose of Senate Resolution 217 was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. J. Res. 100, a joint resolution to authorize the participation of the United States in a multinational force and observers to implement the treaty of peace between Egypt and Israel, for fiscal year 1982. The waiver was necessary to authorize $125 million in additional budget authority for fiscal year 1982 to provide for the U.S. share of the initial costs of the multinational force and observers. Compliance with section 402(a) of the Congressional Budget Act of 1974 was not possible because the agreement to establish the multinational force was not completed until August 3, 1981. The Foreign Relations Committee ordered S. Res. 217 reported as an original resolution on September 29, 1981. It was reported to the Senate (without written report) on October 1, and referred to the Committee on the Budget. That committee reported the resolution (without written report) on October 7, 1981. On the same day, the resolution was agreed to in the Senate by voice vote.

Consideration of Arms Control and Disarmament Agency Authorization.—The purpose of Senate Resolution 426 was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 3467, a bill to authorize appropriations for fiscal year 1982 and fiscal year 1983 for the U.S. Arms Control and Disarmament Agency. The Foreign Relations Committee ordered S. Res. 426 reported as an original resolution on June 30, 1982. It was reported to the Senate (without written report) on July 15, and referred to the Budget Committee. That committee reported the resolution on July 30, 1982. On December 16, 1982, S. Res. 426 was indefinitely postponed.

Consideration of Louisiana World Exposition.—The purpose of Senate Resolution 448 was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of H.R. 6409, a bill to authorize appropriations for the participation of the United States in the 1984 Louisiana World Exposition to be held in New Orleans. The waiver was necessary to authorize funds for the costs of the design and fabrication of exhibits, and the appointment by the President of a commissioner general for the exposition. Compliance with section 402(a) of the Congressional Budget Act of 1974 was not possible because the administration had failed to formally request authorizing legislation prior to the deadline. The committee ordered S. Res. 448 reported as an original resolution on August 10, 1982. It

was reported to the Senate (without written report) on August 13, and referred to the Committee on the Budget. That committee reported the resolution on August 19, 1982. On the same day, the resolution was agreed to in the Senate by voice vote.

Consideration of Caribbean Basin Initiative.—The purpose of Senate Resolution 460 was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 2899, a bill to authorize assistance to promote economic revitalization in the Caribbean and Central America. The Foreign Relations Committee ordered S. Res. 460 reported as an original resolution on September 10, 1982. It was reported to the Senate (without written report) on September 13, and referred to the Budget Committee. The Budget Committee reported the resolution to the Senate on September 24, 1982 (without written report). No further action was taken.

Consideration of Radio Marti.—The purpose of Senate Resolution 480 was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to consideration of H.R. 5427, a bill to provide for the broadcasting of accurate information to the people of Cuba. The waiver was necessary to authorize the appropriation of $7.5 million to carry out the Radio Broadcasting to Cuba Act. Compliance with section 402(a) of the Congressional Budget Act of 1974 was not possible because of the need for extensive hearings on H.R. 5427 and S. 1853.

The Committee on Foreign Relations on September 21, 1982 ordered the resolution reported as an original resolution, by a 12–4 vote. On September 27, 1982, S. Res. 480 was reported (S. Rept. 97–588) together with the minority views of Senators Pell, Zorinsky, Tsongas, and Dodd. The committee majority stated that Radio Marti is one of a series of administration measures taken to increase the cost of Cuban adventurism and to moderate Cuban foreign policy. The administration's proposal was seen as an important non-confrontational, peaceful foreign policy initiative worthy of support. The minority views stated that the total costs of Radio Marti would be excessive relative to any conceivable benefits.

S. Res. 480 was referred to the Budget Committee on September 27, 1982.That committee reported the resolution to the Senate on September 29, without recommendation. During floor debate on December 6, 1982, the resolution was returned to the Committee on Foreign Relations after being ruled out of order pursuant to section 5(a) of Rule XXVI of the Standing Rules of the Senate. Surrounding this decision was a threat to filibuster the parliamentary question, a possibility that the lame duck session wished to avoid.

Consideration of Board for International Broadcasting Authorization.—The purpose of Senate Resolution 519 was to waive section 402(a) of the Congressional Budget Act of 1974 with respect to the consideration of S. 3107, a bill to authorize additional appropriations for the Board for International Broadcasting for fiscal year 1983. Compliance with the above mentioned section was not possible because the administration did not request the legislation until after the deadline. The Foreign Relations Committee ordered S. Res. 519 reported as an original resolution on December 14, 1982. It was reported to the Senate (without written report) on December 16, and referred to the Budget Committee. No further action was taken.

G. LEGISLATION CONSIDERED BY THE COMMITTEE BUT NOT ENACTED OR AGREED TO

Radio Marti

An administration proposal to establish a radio station to broadcast news to Cuba about Cuba ended for the 97th Congress in a filibuster on the Senate floor during the lame duck session after passing the House 250–134 in August. The station, to be named Radio Marti and suggested for operation on 1040 kilohertz, was designed to provide a surrogate home service for Cuba as do Radio Free Europe and Radio Liberty for Eastern Europe and the Soviet Union. It would broadcast not only international news, but feature material and information on Cuba's economy, national and local politics, including information not provided through Cuba's exclusively state-controlled media. The station would be run by Radio Broadcasting to Cuba, Inc. with the Federal granting and oversight agency to be established by statute.

At the request of the administration, two similar "Radio Broadcasting to Cuba" bills authorizing $10 million in fiscal year 1982 and $7.7 million in fiscal year 1983 appropriations for Radio Marti were introduced. Senator Percy introduced S. 1853 on November 16, 1981, by request, and Representative Zablocki introduced H.R. 5427 on February 2, 1982. Hearings were held by the House Foreign Affairs Committee on March 3 and 4, 1982. The administration testified that the purpose of the station was to promote the gradual evolution of the Cuban system by providing information which Cubans could use to hold their government more accountable for its policies, particularly domestic economic policies and support for foreign revolutionary movements. Two sets of arguments were made against the proposal; these were basically the same arguments which were repeated throughout the debate on Radio Marti's merits. Those who were politically opposed to Radio Marti claimed that the station would not achieve the objective set by the Reagan administration because Castro enjoys widespread support in Cuba and Cubans would not be receptive to news from a U.S. Government funded station. Opponents also argued that the station could have unintended consequences, such as encouraging further waves of immigration to the United States rather than political change, and providing Castro with a rallying point for further consolidating his political backing or an excuse for tightening the Cuban security apparatus. Representatives of commercial broadcasting stations opposed the station, testifying that some AM radio station broadcasters in the United States could be drastically affected by the increased radio interference from Cuba which Castro threatened if Radio Marti were established.

On March 24, the House Foreign Affairs Committee ordered the amended bill reported (H. Rept. 97–479, Part I of April 2, 1982). The amendments gave oversight and granting responsibilities for Radio Marti to the Board for International Broadcasting and provided the Board with authority to compensate commercial broadcasters for the expenses of mitigating the effects of interference by Cuba resulting from the operation of Radio Marti.

The amended version of the bill was referred to the House Committee on Energy and Commerce, which ordered the bill reported with

amendments on July 13, 1982 (H. Rept. 97-279, Part II). These amendments in effect provided for the executive branch National Telecommunications and Information Administration (NTIA) to choose a frequency for the station in consultation with the Federal Communications Commission (FCC), and gave the FCC authority to instruct the Board for International Broadcasting to compensate domestic broadcasters for urban interference resulting from the operation of Radio Marti and to set rules and guidelines for compensation.

Final action by the House of Representatives came on August 10, 1982. The House approved with amendments H.R. 5427 as reported by the Committee on Foreign Affairs. These amendments: established criteria for evaluating financial claims of affected commercial broadcasters; reduced the fiscal year 1983 authorization of $2.5 million; incorporated wording of the Voice of America charter mandating the station to "serve as a consistently reliable and authoritative source of accurate, objective and comprehensive news" on Cuba; required the NTIA to select an appropriate frequency for the station in consultation with the FCC; and authorized the FCC to ensure due process for the broadcast industry. The bill was then sent to the Senate, where it was referred to the Committee on Foreign Relations.

The Foreign Relations Committee, which had held two hearings on S. 1853 on July 1 and July 27, 1982, considered the House bill in lieu of its own at a hearing held on August 19, 1982. The committee began markup of H.R. 5427 as amended on August 20, and completed it in a second session on September 9, 1982, reporting the bill with three amendments (S. Rept. 97-544, September 15, 1982). The major amendments provided that: the Board of Directors of the Board for International Broadcasting should also serve as the Board of Directors for Radio Marti; the NTIA be directed to select, in consultation with the FCC, a frequency for Radio Marti; and authorization for other agencies of the U.S. Government to provide assistance to Radio Marti be only on a fully reimbursable basis.

The bill, which at this stage would authorize $7.5 million for fiscal year 1983 for Radio Marti, was placed on the Senate Legislative Calendar on September 15, 1982. Debate on the budget waiver necessary to authorize funding for the proposal which had not been included in the Administration's budget request, began almost 3 months later on December 6, 1982 during the lame duck session. This was filibustered by Senator Zorinsky. In the 97th Congress' last action on Radio Marti, an attempt to circumvent the filibuster was defeated. A motion to set aside funds appropriated by the continuing resolution (H.J. Res. 631) for Radio Marti from the account for the Board for International Broadcasting was tabled.

Amendment of Foreign Service Act

The purpose of S. 1886 is to amend the Foreign Service Act of 1980 to require that not less than 85 percent of the appointed chiefs of diplomatic missions be career members of the Foreign Service. Introduced on November 23, 1981, by Senator Mathias, the legislation was considered by the Foreign Relations Committee during a public hearing held on April 28, 1982. A report on the measure had been received from the Department of State on April 2. No further action was taken on the bill.

Extradition Act of 1981

The purpose of S. 1940 is to modernize Federal practices and procedures with respect to international extradition. S. 1940 was introduced on December 11, 1981 by Senator Thurmond and referred to the Senate Committee on the Judiciary. On March 10, 1982 that committee considered the bill and on March 30, 1982 it was ordered reported with amendments (S. Rept. 97–331, April 15, 1982). On April 19, 1982, S. 1940 was referred to the Committee on Foreign Relations for a period not exceeding 30 days, for the purpose of considering only the "political offense" and related provisions. On May 19, 1982 the Committee on Foreign Relations ordered the bill reported with amendments and it was reported the same day (without written report).

On June 17, 1982 the Committee on Foreign Relations filed a written report (S. Rept. 97–475).

The Foreign Relations Committee amendments focused on "political offense" exceptions which are standard provisions in U.S. extradition treaties. The committee's report cites testimony of Professor Steven Lubet before the Judiciary Committee, who called the political offense exception "the embodiment of the notion that political dissenters or rebels ought not to be turned over for trial and punishment to the very government which they have opposed." Calling the concept "well accepted in customary international law," he added "the United States is under no legal or moral obligation to shelter a fugitive from extradition simply because he claims a political motive for his crime."

There are two types of political offense for this purpose: "pure" political offenses, which are crimes of political dissent that can only be committed against the state, and "relative" political offenses, which are crimes that are linked to political motivation or circumstances. Although pure political offenses are rarely at issue in extradition proceedings, the Foreign Relations Committee report notes, claims of relative political offenses have been the source of debate, with "particularly concern . . . over the use of the exception to bar extradition for acts of international terrorism which ostensibly are associated with political activity." The report summarized two recent court cases, where the relative political offense exception was not interpreted consistently. It continues with the Carter and Reagan administrations' conclusion that "because of loose and inconsistent application of the exception, the United States may be viewed by international terrorists as a potential safehaven where their crimes may go unpunished if presented in the guise of justifiable political actions."

The Judiciary Committee's report on the bill had provided that the Secretary of State should be the sole authority to determine the application of the political exceptions to extradition, with limited judicial review. The Foreign Relations Committee version of the bill calls for the appropriate courts to make findings concerning the application of the political offense exception. The report argues that this is the case in most countries with whom the United States has extradition agreements, and that continuing to use the courts in the United States would "provide a check against an executive authority that could, depending upon the political sensitivities involved in a given case, result in inconsistent and unsound application of the political offense exception."

While calling for retaining this role for the courts, the Foreign Relations Committee also provided clearer guidelines on those types of behavior that should never be considered political offenses, or considered so only under extraordinary circumstances. Examples of the offenses in these guidelines, similar to those proposed by the Judiciary Committee, are those within the scope of the Hague Convention on Seizure of Aircraft, the Convention on the Physical Protection of Nuclear Materials, and those involving the manufacture, sale or distribution of narcotics. The bill prohibited the courts from considering these and similar types of offenses as political, "to deter international terrorists and other criminals from using the United States as a safe-haven from prosecution for crimes they claim to be political but whose characteristics violate overriding international legal standards." The Foreign Relations Committee amendment also called for the burden of proof in political exception cases to be shifted to the person seeking its application.

The Foreign Relations Committee version did grant sole authority to the Secretary of State "to deny extradition if a foreign state is seeking the person's return for the purposes of prosecuting or punishing the person because of his or her political opinions, race, religion, or nationality, and if the applicable extradition agreement provides the Secretary with the authority to deny extradition for such reasons." Calling this practice "already a significant aspect" of the Secretary of State's foreign policymaking responsibilities, the committee concluded that this provision is "the preferred basis for appropriate relief from extradition on grounds consistent with the traditions, heritage, and foreign policy principles of this country." In proposing this role for the Secretary of State, the Foreign Relations Committee amendment required the Secretary to consult with appropriate offices in the State Department, including the Bureau of Human Rights and Humanitarian Affairs (as is currently done), "to ensure that the Secretary is fully advised on the political and social conditions in the foreign state at issue." The provision "also reinforces the committee's belief that determinations by the Secretary of State . . . should build upon existing principles governing asylum requests. As such they should be executive determinations and not judicial findings."

Finally, the Foreign Relations Committee report notes some technical revisions to subsequent sections, regarding the Secretary of State's role, to make them consistent with amendments proposed above.

On August 19, 1982, S. 1940 passed the Senate, as amended by the Foreign Relations and the Judiciary Committees, by a voice vote.

On June 24, 1982, H.R. 6046 was reported by the House Judiciary Committee (H. Rept. 97–627, Pt. 1) and on August 3, 1982, H.R. 6046 was reported by the House Committee on Foreign Affairs (H. Rept. 97–627, Pt. 2). No further action took place in the House.

ICA Film "Kiltie Drum and Bugle Corps"

Senator Proxmire introduced S. 2117 on February 22, 1982. The bill's purpose was to provide for domestic distribution of the International Communication Agency film, "Kiltie Drum and Bugle Corps from Vision Sixteen." The Foreign Relations Committee on February 25 requested a report on the measure from the International Communication Agency. The report was received on March 8, 1982, and the committee considered the bill the following day, but no further action was taken.

International Security Enhancement Act of 1982

In December 1981, Congress approved foreign assistance legislation authorizing programs for fiscal years 1982 and 1983 (Public Law 97–113). This measure provided $5.901 billion for fiscal year 1982 and $5.960 billion for fiscal year 1983 to carry out U.S. development, security, and military aid activities. During congressional deliberations concerning the 2-year authorization bill, the administration stated that since it had not submitted a formal request for fiscal year 1983, the funds contained in Public Law 97–113 might not be sufficient to provide adequately for American foreign assistance priorities during the second year. The executive branch suggested that Congress could expect a supplemental request early in 1982.

Accordingly, on March 10, 1982, the Department of State transmitted draft legislation seeking an additional $1.2 billion in supplemental authorizations and $659 million in off-budget military loans for fiscal year 1983. The bulk of the supplemental request ($1.142 billion) was in security assistance with the largest increased levels of aid slated for Israel, Egypt, Pakistan, Spain, Turkey, and El Salvador. The administration argued that the additional assistance was necessary to support four primary objectives of U.S. foreign policy: (1) to continue the Middle East peace process; (2) to strengthen the military and economic capabilities of friendly nations which face a threat from Soviet or Soviet-supplied forces; (3) to bolster the sagging Southern Flank of NATO; and (4) to build on the economic programs fostered by the Caribbean Basin Initiative.

The Foreign Relations Committee met in May 1982 to mark up the legislation (S. 2227) which had been introduced by Senator Percy, by request, on March 17. By a 12–4 vote on May 27, the committee approved an original bill, S. 2608, providing $786.3 million in additional funds and $712 million more in off-budget military loans for fiscal year 1983. The committee reduced the President's budget request by $435 million but increased the amount of military loans by $52 million. Although the committee reported S. 2608 on May 28, no further action occurred during the 97th Congress. A similar bill, H.R. 6370, was reported by the House Foreign Affairs Committee on May 17, but it also died at the end of the 97th Congress when the House took no action. The table below shows the administration's request together with the changes made by the Foreign Relations Committee. The major issues raised by the committee during its consideration of S. 2608 are also discussed below.

[In millions of dollars]

	Fiscal year 1983 existing authorization	Supplemental request	Committee recommendation
Grant military aid	$238.5	0	$134.0
Military training (IMET)	42.0	$11.7	11.4
FMS direct credits	800.0	939.0	500.0
FMS loans	(3,329.5)	(659.3)	(710.4)
Peacekeeping	19.0	24.5	24.5
Antiterrorism aid	0	5.0	5.0
Economic Support Fund	2,723.5	162.5	105.5
Narcotics control	37.7	2.3	2.3
Development aid	1,295.2	32.3	0
Trade and development	6.9	3.6	3.6
AID operations	335.6	40.4	0
Total	.....	1,221.3	786.3

AUTHORIZATION LEVELS

In approving an additional authorization of $786.3 million for fiscal year 1983, the Foreign Relations Committee attempted to maintain foreign aid funding within the First Budget Resolution for fiscal year 1983 approved by the Senate on May 21. To a large extent, the committee achieved the $435 million cut in the President's request by rejecting the administration's bid for an additional $939 million in FMS direct credits. Through use of FMS direct credits, the administration planned to extend low interest loans to eligible nations in order to purchase necessary defense articles and services. Because of the concessional nature of these direct credits, all funds allocated for direct credits would be counted as new budget authority (on-budget). This contrasts with the FMS guaranteed loan program which provides loans at market interest rates and are considered an off-budget activity.

Congress had rejected a similar executive branch proposal for FMS direct credits in fiscal year 1982, although military loans for which repayment is forgiven were authorized for Israel, Egypt, and the Sudan. Following the example set the previous year, the Foreign Relations Committee converted one-half of the FMS direct credit supplemental request into military grants (MAP) and moved the other half into the off-budget FMS guaranteed loan category. This accounting method resulted in a budget savings of about $369 million. The committee achieved additional savings by holding security assistance funding for El Salvador, Turkey, and Zaire below the President's request. A portion of these savings were offset, however, when the committee chose to increase the amount of FMS forgiven loans by $300 million and the Economic Support Fund by $125 million to support Israel.

In action on non-security assistance programs, the Foreign Relations panel did not provide additional money for development programs or AID operating expenses. The committee pointed out that although the administration requested $32.3 million for education and selected development activities, the executive branch planned to make parallel reductions in the health and population accounts. The committee considered these latter programs important and did not approve of the shift of funds among the development accounts.

AID TO ISRAEL

The President's fiscal year 1983 supplemental foreign aid budget included $2,585 million in assistance for Israel allocated as follows: $1.7 billion in FMS loans, $500 million of which would not require repayment; and $785 million in Economic Support Fund (ESF) extended on a two-thirds grant/one-third loan basis. By comparison to the existing authorization for fiscal year 1983, this represented an increase of $300 million in total FMS loans but a reduction of $50 million in the amount for which repayment would not be required. Congress had also earmarked all ESF money to be provided on a grant basis in the 2-year authorization bill.

Some members of the committee expressed concern over what they perceived as a reduced aid package for Israel recommended by the administration. They argued that Israel faced a severe debt service

problem, some of which could be attributed to Israeli cooperation with U.S. peace efforts in the Middle East. These Senators also pointed out that for the first time, Israel's debt repayment to the United States would exceed the amount of American ESF cash transfer in 1983. They acknowledged the $300 million increase in FMS guaranteed loans but contended that the high interest rates associated with these loans would only compound the Israeli debt problem. While emphasizing continued support for Israel and expressing concern for the economic and security difficulties confronting Israel, other members of the committee argued that the tight budgetary conditions would simply not permit additional on-budget aid for Israel. These members also questioned the concept of linking American economic aid to the level of Israeli debt repayment.

Following extensive debate on this matter, the committee by voice vote agreed to waive repayment on the entire $300 million FMS loan increase thereby raising the existing FMS direct credits for Israel from $550 million to $850 million for fiscal year 1983. In addition, the committee voted 9–8 to increase ESF assistance for Israel from $785 million to $910 million (all grant). In its report, the committee also stated that "Israel's debt service requirements to the United States should be addressed adequately within the context" of the administration's fiscal year 1984 foreign assistance request.

AID TO EL SALVADOR

Troubled by recent reports from El Salvador suggesting a reduced commitment by the newly elected government to land reform policy, the Foreign Relations Committee sharply reduced the President's security assistance request for this Central American nation. The administration sought to increase ESF for El Salvador from $40 million in fiscal year 1982 to $105 million in fiscal year 1983 (the executive branch also recommended an additional $128 million ESF aid for El Salvador in fiscal year 1982 under a separate legislative proposal, the Caribbean Basin Initiative). The President also asked for $61.3 million in military assistance, up from $27 million in fiscal year 1982. The committee voted 12–0 to freeze fiscal year 1983 security aid to El Salvador at "regular" levels provided in fiscal year 1982 ("regular" levels would include the $55 million in military aid transferred to El Salvador in March 1982 under the President's special drawdown authority). Furthermore, the committee expressed its intent to withhold S. 2608 from consideration on the Senate floor until after receipt of the administration's next certification concerning El Salvador due at the end of July. The committee agreed that at that time it would give further consideration to its decision to freeze additional aid.

OTHER ACTION

The committee took action on a series of other major issues during consideration of S. 2608, including:

—Prohibiting the use of development assistance for Pakistan in fiscal year 1983 (proposed by Senator Glenn).

—Authorizing the establishment of an anti-terrorism program to support and train foreign law enforcement officials in deterring

the spread of international terrorism (recommended by the administration).

—Lifting a prohibition on economic and food assistance to the People's Republic of China (suggested by the executive branch).

—Restricting the extension of ESF aid to Zaire until the President certified that Zaire had reached a new agreement with the IMF (introduced by Senators Kassebaum and Tsongas).

Caribbean Basin Initiative

On March 18, 1982, Senator Dole and others introduced (by request) legislation (S. 2237) to implement the administration's proposed Caribbean Basin Initiative (CBI). Titles I and II of the bill provided for one-way free trade for Caribbean and Central American exports to the United States and incentives to expand U.S. foreign investment in the region. Those titles were referred to the Senate Finance Committee. Title II provided for the authorization of an additional $350 million for economic aid to countries in the region in fiscal 1982. It was referred to the Foreign Relations Committee. A companion bill (H.R. 5900) was introduced simultaneously in the House. On September 10, the Foreign Relations Committee reported a separate original bill (S. 2899), in order to authorize the foreign aid portion of the CBI after the omnibus measure encountered delays in the other congressional panel. A similar bill (H.R. 6755) had been reported by the House Foreign Affairs Committee in July. Neither bill saw floor action, but the Secretary of State told the authorizing committees he would voluntarily comply with their guidelines. The money for the foreign aid portion of the CBI plan was appropriated in late August—and made available without the need for any authorization—in the 1982 general supplemental appropriation act.

Trade and investment provisions.—On December 11, 1982, the House Ways and Means Committee marked up and reported a separate bill (H.R. 7397) providing for a duty-free entry of most Caribbean exports to the United States. It adopted amendments excluding footwear and other leather goods and petroleum products from eligibility under the law. It took no action on the Administration's proposal for creating tax incentives to expand U.S. investment in the region. On December 17, the House of Representatives voted 260–142 to approve the proposed bill, after adopting an amendment which also excluded canned tuna from duty-free entry under the plan. It rejected a proposal for quotas on the duty-free importation of Caribbean rum. The Senate Finance Committee held one hearing on the CBI plan, but it failed to take any further action and the trade and investment portions of the plan died at the end of the 97th Congress.

Foreign assistance provisions.—The Foreign Relations Committee held 2 days of hearings on the administration's CBI plan, on March 25 and 31, 1982. On the first day, it heard from administration witnesses; on the second, it heard from representatives of the business, labor and academic community.

On May 19 and 20, the committee held mark-up sessions on Title II of S. 2237, at which time a number of amendments were considered. By a vote of 5–8 (with 3 absent members later voting in the affirmative), the committee rejected a proposal by Senator Zorinsky

which would have removed El Salvador from the list of countries eligible for aid under the CBI plan. (Supplemental aid for El Salvador would then be considered in a separate bill.) By a vote of 9–8, however, the committee agreed to an amendment by Senator Dodd which sought to transform the CBI into a multilateral program by authorizing the President to negotiate with the World Bank for the establishment of a special Caribbean Basin Trust Fund, which would be administered on a non-political basis by the international lending agency. The committee then voted 16–1 to favorably report Title II of the bill, as amended.

The House Foreign Affairs Committee was also meanwhile formulating its version of Title II of the CBI legislation. The administration's original plan had provided for $350 million in fast disbursing balance of payments support to Caribbean regional countries, with $128 million of it scheduled for El Salvador. The House committee bill stipulated, however, that not more than $80 million could go to any one country. It also directed that at least $43.5 million of the total should be used to finance development projects in the recipient countries and that at least 80 percent of the remaining $305 million should be used for activities which would generate local currency which could be used to finance development projects in the beneficiary land. It also stipulated that at least $7.5 million and $2 million should be used, respectively, for scholarship programs in the United States for CBI region students and for programs administered by the Inter-American Foundation. On July 26, the House Foreign Affairs Committee reported H.R. 6755, a separate bill embodying its version of Title II of the CBI bill.

At the initiative of the Senate Appropriations Committee, funds to implement the foreign aid portion of the CBI plan were included in the 1982 general supplemental appropriation act (Public Law 97–257). At the recommendation of the House conferees, a number of ceilings and floors were set for the allocation of these funds: no more than $75 million for El Salvador and $10 million for Guatemala, no less than $20 million for the Eastern Caribbean, $41 million for the Dominican Republic, $10 million for Haiti, $50 million for Jamaica, $10 million for Belize, $70 million for Costa Rica, $35 million for Honduras, $2 million for the American Institute for Free Labor, $2 million for the Inter-American Foundation, and $25 million unallocated. The act stipulated that none of the CBI aid money could be obligated until September 15, 1982, or until the enactment of authorizing legislation, whichever came first. The bill became law after the House and Senate voted on September 9 and 10 to over-ride the President's veto.

On September 9, 1982, the Foreign Relations Committee voted 15–0 to report a new bill (S. 2899), proposed by Chairman Percy, in lieu of the amended Title II of the CBI bill the committee had ordered reported previously. As the committee stated in the accompanying report (S. Rept. 97–541), the new bill "represents a bipartisan compromise agreed to in order that the emergency economic assistance funds intended for the Caribbean Basin region would be available in fiscal year 1982." In most respects, the new bill was very similar to the legislation reported earlier by the House Foreign Affairs Committee. The Foreign Relations Committee reported that it had "con-

sidered the House Committee's language and adopted it in the hope that this action would expedite the authorization."

The Foreign Relations Committee made several changes or additions though, to the legislation. It stipulated that $10 million should be used for programs run by private voluntary organizations and said that the President should take care that any production financed under the act not hurt U.S. agricultural producers. It asked the administration to pay close attention to how the CBI plan affects Puerto Rico and the Virgin Islands. It urged that the tourism industry receive some emphasis in the implementation of the CBI program. It said that any CBI aid for Haiti should be channeled—to the maximum extent possible—through private voluntary organizations or the private sector. It also expressed a "sense of Congress" that, in his subsequent negotiations with Caribbean countries about the implementation of the CBI plan, the President should seek commitments to help protect the spawning grounds of the Western Atlantic bluefin tuna.

As regards the multilateral development banks, the committee adopted a "sense of Congress" amendment by Senator Glenn which urged the administration to reconsider its advocacy (in the then-current replenishment negotiations) of slowed growth or even cutbacks in the Inter-American Development Bank (IDB) program. The committee dropped its earlier MDB trust fund idea for aid through the CBI program. In its report, though, the committee said:

> The committee believes that it is particularly important to foster multilateral aid initiatives especially given current domestic budgetary restrictions which severely limit U.S. capacity to provide foreign assistance. Multilateral efforts have generated greater funds for fostering principles of international burden sharing among those nations which are both willing and able to provide assistance to developing countries.
>
> It was with these considerations in mind that the committee undertook to preserve the principle that long-term solutions for this region must be channeled through multilateral institutions to the maximum degree, while the committee also sought to provide bipartisan support for the hard-pressed economies of the region. It is the committee's intention that its approval of this fast-disbursing aid be a one time economic "shot in the arm" for the Caribbean Basin. Future efforts must be aimed at resolving the underlying structural economic problems of unemployment, capital flight, and political uncertainty.

The Glenn amendment stressed the importance of the Caribbean region to the United States and it underlined the role the multilateral agencies have played in helping finance development there. It urged the administration to take this into consideration in its future policies in the IDB replenishment talks. It suggested that a reasonable target size for the new replenishment might be one which allowed IDB lending to the CBI countries to grow by at least 15 percent annually in future years. In its report, the committee also expressed "particular concern that the Fund for Special Operations be of sufficient size to

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enable the Bank to provide a significant proportion of these loans on concessional terms." The administration's stated goal in the IDB talks had been one of substantially shrinking the size of the IDB's concessional loan program.

Because of scheduling difficulties, the separate CBI aid authorization bill did not receive floor consideration in the 97th Congress. On November 1, 1982, however, Chairman Percy received a letter from Secretary of State Shultz saying that even if the bill did not pass the administration would consider itself guided by the terms of the pending legislation.

> I understand your concern that, given the crowded congressional schedule, action on the authorization bill might be delayed. Should that occur, I would like to assure you that the administration will be guided, to the extent we may do so under current law, by sections 3 (a) through (e)—as qualified below—and sections 5 through 11 in the bill reported by your committee, which are consistent with agreements made with the authorizing committees during the authorizing process.

Secretary Shultz stated that there would be some increased support for the activities of private voluntary organizations from "local currency generations and, where possible, [we] will assist with foreign exchange." No action would be taken on the $7.5 million scholarship fund without further consultations with Congress, insomuch as the proposal was somewhat different in the House and Senate committee bills.

African Development Fund

Senator Percy introduced S. 2398, the African Development Fund Bill, on April 20, 1982, by request. The bill provides for an authorization of $150 million as the U.S. contribution, over 3 years, to the African Development Fund's (AFDF) third replenishment.

The committee met in open session on May 6, 1982, and ordered the bill reported with two amendments. One limited the authorization of appropriation in the first year of the replenishment (fiscal 1983) to $50 million, the amount the administration was requesting. The second was a technical amendment, clarifying a reference in the bill. The committee voted 11–0 to approve the legislation.

In its report (S. Rept. 97–391, May 12, 1982), the committee noted that AFDF lending is used primarily to boost agricultural production in Africa and for projects which serve the agricultural sector. It observed that the United States has major security and economic interests in many of the African countries assisted by AFDF lending.

The Senate considered and approved S. 2398 on May 24, 1982, by voice vote.

A companion bill, H.R. 6149, was considered but not passed in the House. The legislation therefore died at the end of the 97th Congress. The House Banking, Finance, and Urban Affairs Committee ordered the bill reported on May 13, 1982, but the bill was never scheduled for consideration on the regular House calendar. On October 1 and December 17, 1982, efforts were made to secure its passage, but objection was heard, and the proposal had to be withdrawn.

Foreign Consular Posts Outside Washington, D.C.

S. 2675 authorizes the Secretary of State to reimburse State and local governments for providing protection with respect to foreign consular posts located in the United States outside the area of Washington, D.C.

The bill was introduced on June 24, 1982 by Senator Percy (by request of the administration) and on July 29, 1982 the Foreign Relations Committee held a public hearing. On August 10, S. 2675 was ordered reported with amendments and on August 17, 1982 the bill was reported with amendments (S. Rept. 97–526). No further action was taken during the 97th Congress.

Soviet Bloc Research and Training Act of 1982

S. 2919 was introduced by Senator Lugar for himself and others on September 16, 1982. The purpose of the bill is to establish a Soviet Bloc Research and Training Trust Fund in the Treasury, the interest on which would be paid to a National Council for Soviet and East European Research. The Council is to develop and publicize a research agenda at the post-doctoral level in Soviet bloc studies and award contracts for appropriate research projects. Part of the Council's funds are to be used to (1) publish the findings of a fellowship program for advanced training in Soviet studies; (2) provide support for the Woodrow Wilson International Center for Scholars for interaction in Washington, D.C. between Government and private specialists; and (3) provide support to the International Research and Exchange Board to conduct reciprocal programs between United States and Soviet bloc researchers. The bill was referred jointly to the Foreign Relations Committee and to the Labor and Human Resources Committee. A public hearing was held on September 22, 1982 by the Foreign Relations Committee, but the bill saw no further action during the 97th Congress.

Board for International Broadcasting Supplemental Authorization Act, Fiscal Year 1983

On November 30. 1982, Senator Percy introduced S. 3052 at the request of the administration to authorize additional appropriations for the Board for International Broadcasting (BIB) for fiscal year 1983.

The bill was intended to authorize an additional $13.2 million of appropriations for the Board for International Broadcasting. It would enable Radio Free Europe and Radio Liberty (RFE/RL) to enhance programing, improve audio quality and renovate broadcast facilities. The authorization would fund 75 additional program staff, free-lance contributions, news bureaus, monitoring stations, modernized text and data processing systems, and anti-jamming research.

This program of modernization and expansion was part of an initiative announced by President Reagan on July 19, 1982 intended to modernize and otherwise attempt to make more effective the U.S. international radio system, i.e., the Voice of America (VOA) and RFE/RL.

A hearing on the legislation was held December 6 and it was considered on December 7.

A similar bill (H.R. 7367) was introduced in the House on December 3, 1982, and referred to the Committee on Foreign Affairs. The bill was ordered reported on December 14.

On December 14, the Committee on Foreign Relations ordered reported an original bill, S. 3107. This legislation authorized the additional funding for the BIB requested by the Administration. It also authorized the Board to review and evaluate the mission and operations of RFE/RL to insure proper accountability of public funds, to develop and apply evaluative procedures to assure that grants are applied in a manner not inconsistent with the broad foreign policy objectives of the United States, and to develop regulations to carry out its functions.

The following illustrates the relationship of the fiscal year 1983 BIB appropriation to the fiscal year 1983 authorization:

Pending appropriation—S. 2956	$90,300,000
Proposed appropriation—Budget amendment	21,300,000
Total	111,600,000
Authorization—Public Law 97-241	98,317,000
Needed authorization	13,283,000

The bill was reported to the Senate December 16, 1982 (S. Rept. 97-685). No further action was taken before the end of the 97th Congress on either the Senate or House versions of this bill.

El Salvador Certification

S. 3066 was introduced by Senator Glenn and others on December 2, 1982. It sets the requirements that on the third and succeeding Presidential certifications on conditions in El Salvador, such certification can only be made if the President determines that El Salvador has made good faith efforts since the last certification to investigate and prosecute those responsible for the murders of six U.S. citizens, and has taken all reasonable steps to investigate the disappearance of journalist John Sullivan. The Committee on Foreign Relations reported the bill to the Senate without amendment on December 16, 1982, and the measure was placed on the Senate's legislative calendar. However, both S. 3066 and H.R. 7323, a companion bill in the House, were dropped from the agenda of the lame duck session when the administration promised to report on the investigations in the January 1983 certification.

U.S. Cuba Policy

Congress voted to reaffirm the language of the 1962 "Cuba Resolution" (P.L. 87-733), but guarded against any interpretation of the reaffirmation as approving unilateral executive military action by appending a caveat. The caveat, prompted by concerns that the reaffirmation and thus reenactment of the 1962 resolution would supersede congressional prerogatives legislated by the War Powers Resolution of 1973, stated that any military action was still subject to congressional approval.

The legislation to reaffirm the 1962 language of a joint resolution on Cuba was introduced in identical joint resolutions by Senator Symms (S.J. Res. 158) and Representative Kemp (H.J. Res. 423). The resolution stated that current U.S. policy toward Cuba was to be

a continuation of the policy indicated by the September 1962 resolution. Citing the Monroe Doctrine, the Rio Treaty of 1947, the Organization of American States rationale for excluding Cuba, and increasing Communist influence in Cuba, the measures resolved

(a) to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force its aggressive or subversive activities to any part of this hemisphere;

(b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and

(c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

Although the Kemp resolution was never reported out of committee in the House and the Foreign Relations Committee reported completely new substitute language, the wording of the measures was adopted when the Senate approved, on Aug. 11, 1982, an amendment offered by Senator Symms to the supplemental appropriations bill (H.R. 6863) identical to the resolutions. This amendment, further amended by the language specifying that restrictions of the 1973 War Powers Resolution applied, was adopted by Congress in the conference report on the bill, thereby becoming part of Public Law 97–257.

Senator Symms introduced S.J. Res. 158 on March 4, 1982, and twice offered it as a rider to other legislation before it was considered by the Foreign Relations Committee. It was offered on March 9, 1982 as an amendment to S. 2179, a bill introduced by Senator Byrd to amend the War Powers Resolution to require prior congressional authorization before the dispatch of any U.S. Armed Forces to El Salvador. S.J. Res. 158 had 19 cosponsors by the time its wording was offered as an amendment on April 14, 1982 to S. Res. 20, which provided for television and radio coverage of the proceedings of the Senate Chamber. It was tabled, because of reports that the executive branch did not support it.

Foreign Relations Committee action on S.J. Res. 158 took place in April and May. Hearings were held on April 20 and 27, with consideration of the measure on May 4, 6, and 11. A compromise amendment in the nature of a substitute bill was reported June 9, 1982 (S. Rept. 97–470). This compromise included new language on Cuba, as well as elements of several bills dealing with El Salvador (S. 2179, S.J. Res. 144, and S. 2243), under consideration by the committee, as well as a draft resolution of Senators Percy, Mathias, Kassebaum, and Glenn.

The bills on El Salvador aimed at further restricting U.S. aid to El Salvador and urging negotiations between the country's warring parties. S.J. Res. 144, introduced by Senators Dodd and Tsongas, declared that it should be the policy of the U.S. Government to encourage unconditional negotiations for the purpose of achieving a cease-fire and a political settlement to the conflict in El Salvador. S. 2243, introduced by Senators Hatfield, Weicker, Kennedy and Eagleton, prohibited the continuation of U.S. military aid for El Salvador if after 45 days the President were unable to certify that

the Salvadoran Government was actively and in good faith engaged in a negotiation process to achieve a cease-fire and an equitable political solution to hostilities with all major parties to the conflict which were willing to participate.

The substitute bill's compromise wording on El Salvador stated that the policy of the United States was "to encourage all parties to the Salvadoran conflict to begin good-faith negotiations for the purpose of bringing an end to hostilities and achieving a peaceful and democratic solution . . ." The language also conditioned security assistance from the United States upon the criteria established in section 728(d) of the International Security and Development Cooperation Act of 1981, Public Law 97–113. The committee report stated that the amended bill also made clear that the President has an obligation under the War Powers Resolution to consult Congress before deciding to commit combat forces to El Salvador, even though this was not specifically addressed in the section on El Salvador. According to the report, the committee was not aware of circumstances at the time which would justify such action.

The new language on Cuba endorsed unilateral U.S. military action only for Cuban activities which posed a direct threat to U.S. security. It called for the United States to prevent the stationing of nuclear weapons in Cuba by the Soviet Union, the development or acquisition of nuclear weapons or any other externally supported military capacity endangering the security of the United States. Unlike the original version offered by Senator Symms, however, the committee substitute only called for the United States to "resist" efforts by Cuba to extend its Marxist-Leninist ideology or political system in the hemisphere by force or threat in violation of the United Nations charter. The substitute also called for the United States to pursue diplomatic opportunities and to work with the Organization of American States for a reduction of aggressive or subversive acts by Cuba or any other state in the hemisphere and to achieve peaceful and democratic self-determination in Cuba and throughout the hemisphere.

According to the committee report, the substitute version reflects a truer picture of the security threats to the United States posed by Cuba and takes into account the United States-Soviet exchanges following the Cuban missile crisis, which the resolution antedated, as the original language did not mention the use of armed forces in case of a possible direct military threat from Cuba. The report also described the bill's original version as an "open-ended mandate to use force," given the executive branch's past interpretations of the War Powers Resolution. It stated that the new language would reinforce rather than dilute the War Powers Resolution provisions which required case-by-case consultation with Congress.

The substitute bill was reported to the floor by the committee with all members voting in its favor except Senator Helms, one of the first 23 cosponsors of the original version. In this form, it was never considered by the full Senate.

A discussion on the differences between the committee substitute and Senator Symms' original version of S.J. Res. 158 occurred on August 11, 1982 during the debate on the supplemental appropriations

bill. Senator Symms' original wording, offered as an amendment, was adopted by a vote of 68–28. A subsequent attempt by Senator Percy to amend that amendment with language nearly identical to the sections on Cuba of the committee's version was defeated 47–52. Later in the day, however, the Senate did approve, 97–2, an amendment offered by Senator Bumpers which specified that the reaffirmation of the 1962 "Cuba Resolution" did not "change or otherwise affect the standards and procedures of the National Security Act of 1947, as amended; the Foreign Assistance Act of 1961, as amended; and the War Powers Resolution of 1973." The amendment also specified that the reaffirmation did not constitute the statutory authorization required by the War Powers Act for the deployment of U.S. troops.

The House accepted this Senate language in the conference on the supplemental appropriations bill (H. Rept. 97–747). The reaffirmed "Cuba Resolution," with caveat, became law when Congress overrode the presidential veto on the bill.

Arms Control Proposals

The committee considered 12 different legislative proposals for controlling nuclear weapons, in five hearings lasting from April 29 to May 13, 1982. These proposals and the hearings were largely in response to the growing public interest in a nuclear freeze, or in some other means of pursuing arms control with the Soviet Union. The 12 measures considered in these hearings were as follows:

S.J. Res. 163 (Senators Kennedy and Hatfield): Proposing a mutual, verifiable freeze on the testing, production and deployment of nuclear warheads and delivery systems.

S.J. Res. 171 (Senator Percy): Seeking to avoid testing and development of new and destabilizing weapons, and preserving current SALT limits and controls.

S.J. Res. 177 (Senators Jackson and Warner): Proposing a mutual, verifiable freeze on nuclear weapons once both the United States and U.S.S.R. had reduced to equal levels.

S.J. Res. 191 (Senator Cranston): Proposing a freeze on current arsenals, initially through a mutual ban on production of weapons grade uranium and plutonium, with phased reductions to follow.

S. Res. 242 (Senator Hart): Proposing that the United States take no steps inconsistent with SALT II as long as the U.S.S.R. shows the same restraint.

S. Res. 323 (Senator Hart): Calling for United States-Soviet negotiations to prevent the use of nuclear weapons, various confidence-building measures, and for reductions in strategic nuclear systems.

S. Res. 343 (Senator Mathias): Calling on the President to invite the U.S.S.R. to open negotiations on strategic arms and nuclear proliferation.

S. Res. 370 (Senator Glenn): Proposing a freeze on strategic weapons at the SALT II limits, to be achieved within 1 year, to be maintained through 1985, and steps to prevent nuclear proliferation.

S. Res. 391 (Senator Mathias): Proposing that during the START negotiations the United States should not contravene SALT I and SALT II as long as the U.S.S.R. shows similar restraint.

S. Ex. Res. 5 (Senator Biden): That the Foreign Relations Committee report the SALT II Treaty by July 1, 1982.

S. Ex. Res. 6 (Senator Hart): That the SALT II Treaty be reported within 30 days and become the pending business at that time.

S. Con. Res. 81 (Senator Specter): Calling on the President to convene a summit meeting with Soviet leaders on means to reduce the risk of nuclear war, and to better control and reduce nuclear weapons.

Witnesses at these hearings included the sponsors of the various measures, as well as Members of the House with measures of their own, private witnesses, past Government officials, and representatives of the administration, some of whose testimony was delivered in executive session. The two major proposals, in terms of the freeze movement and ongoing negotiations with the Soviet Union, were S.J. Res. 163, which embodied the freeze proposal, and S.J. Res. 177, which had the endorsement of the administration. At the committee markup on June 9, Senator Percy introduced a new resolution, S.J. Res. 212, as a complete substitute for all 12 resolutions then under consideration.

S.J. Res. 212 expressed support for President Reagan's START proposal, which calls for reductions of nuclear warheads and ballistic missiles, and agreed with this initial focus on the most destabilizing systems. It also sought to formalize the restraint being expressed by the administration to refrain from "undercutting" SALT II as long as the Soviets did the same, recommended broadening the scope of arms control to include crisis stability and confidence-building measures, sought a Presidential review of the Threshold Test Ban and Peaceful Nuclear Explosion Treaties, and declared that the United States' ultimate goal was the elimination of a nuclear weapons.

An amendment to add the language of the freeze proposal to S.J. Res. 212 was defeated by the committee 7–10. Two amendments to S.J. Res. 212 by Senator Glenn calling for a formal agreement with the Soviets on refraining from undercutting SALT I and SALT II, and asking the President to provide Congress with his recommendations regarding ratification of SALT II were both defeated 7–9. Several technical or perfecting amendments were accepted, and on June 9, 1982 the committee approved S.J. Res. 212 by a vote of 12–5.

S.J. Res. 212 was reported out of committee on July 12, 1982 (S. Rept. 97–493). The measure was not considered by the Senate.

Disapproving the Proposed Sales to Saudi Arabia of AWACS and F–15 Enhancement Package

Pursuant to section 36(b) of the Arms Export Control Act, the executive branch notified Congress on October 1, 1981, of the proposed sale to Saudi Arabia of five E–3A (AWACS) aircraft, eight Boeing 707 aerial refueling aircraft, 1,177 AIM–9L Sidewinder air-to-air missiles and 101 ship sets (202) conformal fuel tanks for Saudi F–15 aircraft. S. Con. Res. 37 was introduced by Senator Bob Packwood (for himself and 49 co-sponsors) on October 1, 1981, to express congressional opposition to the proposed sales and to block the implementation of the proposed letters of offer for the sales.

The Foreign Relations Committee held extensive hearings on the proposed Saudi sales on October 1, 5, 6, 14, and 15. Testimony was heard from Secretary of State Alexander M. Haig, Jr., Secretary of

Defense Caspar W. Weinberger, Under Secretary of State James L. Buckley, and General David Jones, Chairman of the Joint Chiefs of Staff. A number of public and congressional witnesses was also heard.

The Foreign Relations Committee was closely divided on the proposed sales. Opponents expressed concerns regarding compromise of technology in the AWACS aircraft and AIM–9L missile in light of the Iranian revolution and the instability of the Persian Gulf region. They also expressed the view that the sales would adversely affect Israel's security and might further stimulate a Middle East arms race. Supporters of the sales argued that the compelling reason to approve the sales was that they were in the national security interests of the United States. They further expressed their belief that the sales met a legitimate Saudi defense requirement, that they would not compromise Israel's security, and that the security of technology involved in the sales would be effectively maintained.

On October 15, Senator Pell moved that S. Con. Res. 37, disapproving the proposed Saudi sales, be favorably reported. The resolution of disapproval was approved by the committee by a vote of 9–8, and the matter was reported to the Senate for final action (S. Rept. 97-249, October 15, 1981). Because the House of Representatives had approved an identical resolution on October 14 (H. Con. Res. 194) the Senate acted on it after extensive debate, rather than on S. Con. Res. 37. On October 28, 1981, the Senate rejected H. Con. Res. 194 by a vote of 48–52. S. Con. Res. 37 was indefinitely postponed November 5, 1981.

Sale to Pakistan of 40 F–16 Aircraft

On November 10, 1981, Senator Hatfield introduced for himself and Senator Moynihan Senate Concurrent Resolution 48, disapproving the sale to Pakistan of F–16 aircraft and related defense articles and defense services. Pursuant to section 36(b) of the Arms Export Control Act (Public Law 94–329), both houses of Congress could have blocked the sale by adopting this resolution of disapproval within 30 days after formal notice of the sale was delivered to Congress on October 23, 1981 (Transmittal No. 81–108).

Proposed by the Reagan Administration, the sale of 40 F–16 aircraft and related munitions, support equipment, spare parts, training equipment and technical assistance—a sale totalling $1.1 billion—is part of a 6-year package to reestablish a security relationship with Pakistan. Aid to Pakistan was terminated by President Carter in 1979 under the provision of the Symington amendment (Section 669 of the Foreign Assistance Act, 22 U.S.C. 2429) which as part of U.S. nuclear non-proliferation efforts, necessitates that aid be terminated to nations developing a nuclear weapon capability.

Following the collapse of the Shah's regime in Iran and the Soviet occupation of Afghanistan, the security of Pakistan became increasingly important to the security interests of the United States in Southwest Asia. The Carter administration, and later the Reagan administration, worked to develop a package of economic and military assistance designed to enhance Pakistan's national security, improve the Pakistani standard of living, and establish a meaningful long-term relationship between Pakistan and the United States. Two years of discussions and negotiations between the United States and Pakistan

resulted in the Reagan administration's proposal to supply Pakistan with $1.63 billion in economic aid and $1.56 billion in military assistance over a 6-year period, and to sell Pakistan 40 F–16 aircraft.

On November 2, the Foreign Relations Committee received a briefing in executive session on the sale of the F–16's, and on November 12, the committee held a public hearing on the sale. Testimony in favor of the sale was received from administration officials. On November 18, the committee debated the resolution and, by a vote of 7–10, S. Con. Res. 48 was rejected and was reported unfavorably (S. Rept. 97–276, November 19, 1981).

The committee concluded that the sale of the F–16 aircraft to Pakistan would enhance the overall foreign policy interests of the United States, including efforts to improve the security of the region and strengthen nuclear non-proliferation efforts.

The committee felt that, as a symbol of American commitment to strengthening United States-Pakistan ties, the sale of the F–16 aircraft would alleviate to some degree Pakistan's sense of insecurity in the face of India's nuclear program, and, hence, diminish the internal pressure to develop a nuclear weapon. It was pointed out that the termination of assistance to Pakistan in the past under the provision of the Symington amendment did not deter the Pakistanis from attempting to obtain a nuclear capability and may even have led to an acceleration of their program.

The committee concluded that the sale of the 40 F–16's would not alter the balance of power in South Asia, noting that the roughly 3 to 1 Indian superiority in the air balance with Pakistan would remain unaffected.

The committee pointed out that the military government of General Zia ul-Haq reluctantly assumed power following extensive public disturbances and the economic collapse which occurred under the regime of former Prime Minister Bhutto. The committee noted the steps which the Zia government has taken to stabilize and expand the economy, and the fact that the first local elections in 15 years were held in 1979. The committee also noted that if the United States refused to sell the F–16 aircraft and diminished its bilateral relationship with Pakistan, its ability to influence Pakistan's human rights policies will not be enhanced.

The committee concluded that Pakistan needs military aid to counter the threat posed by the Soviet invasion of Afghanistan, and that an advanced aircraft, such as the F–16, which is available currently and will give the Pakistanis a credible deterrent until the turn of the century, is the most suitable aircraft to counter this threat. The committee cited the Pakistanis contention that the overall cost of the F–16 will be less than a cheaper plane, such as the F–5G, as the F–16 will have a longer useful life for their airforce.

Senate floor discussion of the proposed sale occurred November 12, 20 and 21. Opposition to the proposed sale of the F–16 aircraft and related military equipment and training centered on a number of issues, among them the wisdom of waiving the Symington amendment, the impact of the sale on India-Pakistan relations, the questionable stability of General Zia ul-Haq's government, and the advisability of the sale of one of the United States' most sophisticated aircraft.

The Senators supporting S. Con. Res. 48 contended that there was no evidence that the sale of enough conventional arms to Pakistan would induce Pakistan to abandon the nuclear option. The Senators expressed their unwillingness to support the sale given that the restrictions on aid contained in the recently passed foreign assistance bill—restrictions which would necessitate an aid cut-off if a nuclear device is detonated—do not apply to the F–16 package. They pointed out that the administration had refused to state unequivocally that the United States would stop delivery if Pakistan detonated a nuclear device.

Citing the fact that three-fourths of Pakistan's army remains deployed on the India-Pakistan border, the Senators opposing the sale questioned the assumption that it is the Soviet Union, and not India, which Pakistan perceives as the greatest threat to its security, and expressed their concern that the sale of the F–16's would lead to a dangerous escalation of the India-Pakistan arms race. It was noted that, in apparent response to the pending sale, the Government of India had announced that it was considering the purchase of the Mirage 2000.

The congressional opposition questioned the wisdom of openly embracing a military regime that a recent fact-finding trip of the committee had found to be strongly opposed by its people. The Senators opposing the sale noted that serious violations of human rights are a fact of life in Pakistan, and expressed their concern that the Pakistan People's Party (PPP), the one broadly supported political force in Pakistan, vehemently opposes the sale, perceiving it as support solely for President Zia.

The congressional opposition indicated that a less sophisticated interceptor aircraft and surface-to-air missiles would better suit Pakistan's security needs. According to the Senators opposing the sale, the range and attack capabilities of the F–16 are irrelevant to Soviet/Afghan incursions and limited cross-border threats, and are also capabilities which cannot be procured without the disproportionate diversion of most of Pakistan's limited defense resource to the purchase of the aircraft.

After the unfavorable ruling on S. Con. Res. 48 in the Foreign Relations Committee, Senator Hatfield considered pressing for a vote on the sale on the floor of the Senate, but did not do so upon the receipt of a confidential letter from Secretary of State Alexander Haig reassuring him of the administration's position regarding the delivery of the aircraft given the detonation of a nuclear device by Pakistan, and assuring him of the administration's concern about the violation of human rights in Pakistan. The House Foreign Affairs Committee had disapproved a similar resolution, H. Con. Res. 211, thereby making potential Senate floor action moot. S. Con. Res. 48 was indefinitely postponed on December 1, 1981.

Rights of the People of Afghanistan

Senate Concurrent Resolution 45 expresses the sense of the Senate with respect to the rights of the people of Afghanistan, deep concern over the denial of the rights of the Afghan people by Soviet forces and recognizes the traditional commitment of the U.S. Government

to the right of all peoples to independence and autonomy and the applicability of this commitment to the current situation in Afghanistan. On November 19, 1981 the United Nations General Assembly voted for the third time to condemn the Soviet invasion of Afghanistan, and the second anniversary of that invasion was to occur on December 27, thus making consideration of this resolution a timely event.

S. Con. Res. 45 was introduced on November 9, 1981, by Senator Grassley and 14 others. On November 17 the committee ordered it reported without amendment. On November 23 the measure was reported to the Senate (without written report) and on November 24, 1981 S. Con. Res. 45 was agreed to in the Senate by voice vote. On November 30, it was referred to the House Foreign Affairs Committee but no further action was taken.

Mutual Security Efforts of the United States and Japan

Senate Concurrent Resolution 46 was introduced on November 9, 1981 by Senator Levin and others. The resolution expresses the sense of Congress with regard to the mutual security efforts of the United States and Japan. Referred to the Committee on Foreign Relations, the measure was considered during a public hearing on June 16, 1982, and on December 14, 1982, was ordered reported with amendments. The committee amended the resolution to strengthen its wording. S. Con. Res. 46 as amended calls on Japan to make greater efforts to improve its self-defense capabilities. It urges Japan to increase its foreign assistance to developing nations as an additional means to contribute to Western security. It calls on Japan to carry out its announced policy of defending its sealanes and indicates a desire for Japan to assume a larger share of the operating costs of U.S. Forces in Japan. It states that the upgrading of Japan's self-defense capability can and should be achieved through the deployment of weapons and forces of a strictly defensive nature. Finally, it expresses an interest in an assessment by the Japanese Diet of security challenges in the Pacific and of appropriate U.S. and allied responses. S. Con. Res. 46 was reported to the Senate (without written report) on December 15, 1982, and was agreed to in the Senate by voice vote on December 20, 1982. On December 21 it was referred to the House Foreign Affairs Committee, but no further action was taken.

Support of the People of Afghanistan

Senate Concurrent Resolution 126 calls upon the United States Government to support the people of Afghanistan, upon their request, with material assistance in their struggle to be free from foreign domination, and to pursue a negotiated settlement of the war in Afghanistan based on the total withdrawal of Soviet troops and the recognition of the right of the Afghans to choose their own destiny. The concurrent resolution was introduced on September 30, 1982 by Senator Tsongas and 98 others and referred to the Committee on Foreign Relations. The committee considered the measure on December 7 and 14, and ordered it reported favorably without amendment. S. Con. Res. 126 was reported to the Senate on December 16, 1982, without amendment and with a preamble (without written report.) No further action was taken in the 97th Congress.

United States-U.S.S.R. Antisatellite Weapons Negotiations

Senator Pressler introduced Senate Resolution 129 on May 6, 1981. The resolution calls for the prompt resumption of United States-U.S.S.R. negotiations on the limitation of antisatellite (ASAT) weapons. Three rounds of such talks were held during 1978 and 1979, but produced no results and were discontinued after 1979. S. Res. 129 sets forth these objectives for ASAT negotiations: (1) a comprehensive non-use ban; (2) a moratorium on further space testing of ASAT weapons; (3) destruction of all currently operational ASAT interceptors; (4) stringent verification measures; and (5) no restriction on research and development activities permitted under the ABM Treaty or on development and operation of the Space Shuttle. A public hearing was held on September 20, 1982 by the Foreign Relations Committee, but no further action was taken on S. Res. 129.

H. NOMINATIONS

Referred	295
Reported/Confirmed	[1] 277
Reported/Not Confirmed	[2] 6
Withdrawn by President	5
Returned to President upon adjournment of Congress	13
Foreign Service promotions: [3]	
Referred	2,872
Reported/Confirmed	2,872

[1] In addition, one ACTION nomination was confirmed without referral to the committee.
[2] One of these was withdrawn after being reported.
[3] Includes 27 nominations for Career Ambassadors and Ministers.

Department of State

The committee received and considered 37 nominations for State Department officials; 34 of these were reported by the committee and confirmed by the Senate, two were reported but not confirmed and one was withdrawn by the President. The nominations received were for Secretary of State (2), Deputy Secretary (3), Under Secretary (8), Assistant Secretary (19), Counselor (2), Legal Adviser, Inspector General and Director General of the Foreign Service.

Ambassadors

Of the 101 nominations for country ambassadors referred to the committee, only one was not acted on. In addition, there were five nominations for ambassador at large and 16 nominations for rank of ambassador or minister during the tenure of the nominee's service in that particular position. All of these were confirmed, except one which was withdrawn. Some of the positions for these ambassadorial appointments included Chief of Protocol, special adviser to the Secretary of State, advisers on cultural and refugee affairs, and representatives to the United Nations, Committee on Disarmament, U.S.-U.S.S.R. Consultative Commission, and to negotiations concerning arms control and disarmament (i.e., START, IRNF, MBFR), fishery and textile matters and the Trust Territory of the Pacific Islands. Rank of Ambassador was also given to 10 of the appointments listed below under International Organizations and Conferences.

Other Agencies

Nominations for officials of executive branch agencies other than the State Department totaled 66. A breakdown of the agencies is as follows: Agency for International Development (12), ACTION/Peace Corps (6), Arms Control and Disarmament Agency (6), International Communication Agency/U.S. Information Agency (10), Board for International Broadcasting (6), Overseas Private Investment Corporation (9), the General Advisory Committee of ACDA (14) and the U.S. Advisory Commission on Public Diplomacy (3). Of these, 56 were confirmed.

International Organizations and Conferences

Twenty-five nominations were received for U.S. representatives, U.S. governors and other officials to the following organizations: United Nations, Organization of American States, International Atomic Energy Agency, European Communities, Organization for Economic Cooperation and Development, Inter-American Foundation, International Bank for Reconstruction and Development, Asian Development Bank and International Monetary Fund. (As noted above, 10 of these carried the title of Ambassador.) Forty nominations were received for delegation members to the United Nations General Assembly, General Assembly Devoted to Disarmament, IAEA General Conference and the United Nations Educational, Scientific and Cultural Organization. In addition, nominations for a representative to the World Health Organization, three commissioners on the International Joint Commission (United States and Canada), and a Commissioner General for Energy Expo 82 were referred to the committee. Of the total (70), 67 of these were confirmed.

I. MISCELLANEOUS STUDIES

In addition to hearings on legislation and nominations, the committee and its subcommittees received briefings from and was in consultation with officials of the executive branch, as well as non-government witnesses, on numerous current foreign policy matters. To further exercise the legislative oversight responsibilities of the committee and to conduct studies, Members and staff made individual trips abroad and participated in several interparliamentary conferences and Senate delegations. Throughout the two sessions Members received on 51 occasions senior officials of foreign governments to discuss matters of mutual interest.

Other Activities

A list of open and executive meetings of the full committee not related to legislation, treaties or nominations follows:

January 5, 1981—Informal briefing on El Salvador (no transcript).
January 28, 1981—Iranian agreements.
February 17 and 18, 1981—Iranian agreements (printed).
February 19, 1981—Informal briefing on Poland (no transcript).
February 26, 1981—Enhancement package for Saudi Arabia.
March 4, 1981—Iranian agreements (printed).
March 11, 1981—Informal briefing on U.S.-Japan economic relations (no transcript).
March 18, 1981—Situation in El Salvador (printed).

April 1, 1981—Informal briefing on situation in Poland (no transcript).
April 9, 1981—Situation in El Salvador (printed).
April 9, 1981—Informal briefing on reprogramming of funds for El Salvador and Liberia (no transcript).
April 24, 1981—Informal briefing on Spain (no transcript).
May 7, 1981—Arms limitation issues.
May 12, 1981—Nuclear proliferation.
May 19, 1981—Recent meeting of NATO alliance ministers and on current developments in Lebanon (no transcript).
June 9, 1981—Situation in Israel.
June 18, 19 and 25, 1981—Israeli air strike and related issues (printed).
July 8, 1981—Secretary of State Haig on his recent trip to Asia.
July 14, 1981—Forthcoming Economic Summit Meeting in Ottawa.
July 21, 1981—Situation in Lebanon.
July 21, 1981—Law of the Sea conference.
July 23, 1981—Israeli-Palestinian clashes in Lebanon and Israel.
July 28, 1981—Israel-Lebanon border issue.
July 31, 1981—Military situation in El Salvador and issues concerning the Salvadoran armed forces.
August 6, 1981—Current political, economic and military situation in El Salvador (no transcript).
August 19, 1981—Libyan attack.
September 17, 1981—Persian Gulf situation (printed).
September 29, 1981—Contributions of East/West trade to Soviet military capabilities.
September 30, 1981—AWACS.
October 1, 5, 14 and 15, 1981—Arms sales package to Saudi Arabia (printed).
October 7 and 16, 1981—Forthcoming North/South Summit in Cancun.
October 28 and 29, 1981—Workshop with Congressional Research Service on Implications of U.S.-China military cooperation (printed).
November 2 and 12, 1981—Proposed arms sales to Pakistan.
November 10, 1981—Report on Senator Dodd's recent trip.
November 25, 1981—Upcoming negotiations on intermediate range land missiles in Europe.
December 2, 1981—International Atomic Energy Agency and its safeguards programs (printed).
December 7 and 10, 1981—Libyan security threat.
December 14, 1981—Situation in Poland.
December 15, 1981—ARABSAT.
January 26, 1982—Situation in Poland.
January 28, 1982—U.S. relations with China and Taiwan.
February 2, 1982—East/West relations (printed).
February 4, 1982—Worldwide intelligence matters.
February 5, 1982—Proposed sale of F–16's to Venezuela.
February 8, 1982—President's certification concerning military aid to El Salvador (printed).
February 24 and 25, 1982—Workshop with Congressional Research Service on U.S.-China Economic Relations: A Reappraisal (printed).
March 8, 1982—Current situation in Afghanistan (printed).
March 11, 1982—President's certification concerning military aid to El Salvador (printed).
March 16, 1982—Situation in El Salvador.
March 24, 1982—Progress made in the Intermediate Range Nuclear Force negotiations.
March 26 and April 14, 1982—U.S.-China-Taiwan relations.
March 30, 1982—Preparations for START talks.
April 20, 1982—Cuba.
April 28, 1982—Current situation in Guatemala (printed).
May 24, 1982—Forthcoming Versailles Economic Summit.
May 26, 1982—Status of land reform program in El Salvador (printed).
June 8, 9, 10, 15, 23, 29 and 30, 1982—Situation in the Middle East (Israel/Lebanon).
June 10 and 16, 1982—East/West relations: Focus on the Pacific (printed).
June 10, 1982—Salvadoran land reform and other political developments.
June 17, 1982—Results of the Versailles Economic Summit.
July 12, 1982—Possible use of U.S. forces in Lebanon.
July 15, 1982—Situation in the Middle East (printed).

July 27, 1982—U.S. relations with China and Taiwan.
July 29, 1982—U.S. capabilities to monitor Soviet weapons tests.
August 2 and 3, 1982—Presidential certifications on conditions in El Salvador.
August 4, 5, 10 and 17, 1982—Situation in Middle East (Lebanon).
August 11, 1982—Degree of Soviet economic dependence on the West (U.S.).
August 12 and 13, 1982—Effectiveness of U.S. economic pressures to affect Soviet policies (printed).
August 16, 1982—U.S. relations with China and Taiwan.
August 17, 1982—U.S. policy toward China and Taiwan (printed).
September 10, 1982—Overview of the Middle East situation (printed).
September 14, 1982—U.S. trade relations with Japan.
September 17, 20 and 21, 1982—Situation in Middle East (Lebanon).
September 21, 1982—START talks.
September 27, 1982—Recent developments in nuclear proliferation risk nations.
September 29, 1982—U.S. nuclear non-proliferation policy (to be printed).
September 30, 1982—Export of Helium-3 to South Africa.
September 30, 1982—U.S. Marines in Lebanon.
November 30, 1982—NATO troop withdrawals (printed).
December 1, 1982—Situation in Lebanon (to be printed).
December 1, 1982—Guatemala.
December 10, 1982—Informal briefing on Lebanon (no transcript).
December 13, 1982—Intermediate Nuclear Force negotiations.
December 13, 1982—START negotiations.
December 14, 1982—U.S. strategic doctrine (printed).
December 14 and 15, 1982—Workshop with Congressional Research Service on Premises of East-West Commercial Relations (printed).

Western Hemisphere

The members of the Subcommittee on Western Hemisphere Affairs were:*

Senators Helms (chairman), Hayakawa, Lugar and Kassebaum (Republicans).

Senators Zorinsky, Tsongas and Dodd (Democrats).

The subcommittee held the following hearings and briefings:
March 2, 1981—Situation in El Salvador.
December 10, 1981—Overall security environment in the Caribbean Basin.
December 14 and 15, 1981—U.S. policy in Central America (printed).
January 28, 1982—Military situation in Guatemala and El Salvador.
February 1, 1982—Prospects for democracy in Central America and the Caribbean (printed).
February 25 and March 1, 1982—Human rights in Nicaragua (printed).
August 4 and 5, 1982—Economic and social reforms in El Salvador (to be printed).

East Asian and the Pacific

The Subcommittee on East Asian and Pacific Affairs consisted of the following members:*

Senators Hayakawa (chairman), Baker, Jr., Helms and Boschwitz (Republicans).

Senators Glenn, Tsongas and Cranston (Democrats).

Hearings and briefings were as follows:
June 8, 1981—Plans for Secretary Haig's trip to Asia.
June 9, 1981—Consular convention with China (printed).
June 25, 1981—Southeast Asian refugees.
July 15, 21 and 22, 1981—U.S. policy in Southeast Asia (printed).
November 16, 1981—Taiwan.
March 5, 1982—POW/MIA questions with regard to administration officials recent trip to Hanoi.
March 12, 1982—GAO report, "U.S. Defense Programs in Thailand."

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*Senator Percy and Senator Pell are ex officio members of all subcommittees.

May 6, 1982—Southeast Asian drug trade.
June 8, 10, 18 and July 15, 1982—U.S. policies and programs in Southeast Asia (printed).
September 30, 1982—Taiwan arms sales.
December 10, 1982—Micronesian status negotiations (printed).

Two workshops were conducted with the Congressional Research Service of the Library of Congress on October 28 and 29, 1981, "Implications of U.S.-China Military Cooperation" and on February 24 and 25, 1982, "U.S.-China Economic Relations: A Reappraisal." At the request of the subcommittee CRS prepared a report, "Vietnam's Future Policies and Role in Southeast Asia."

Europe

Membership of the Subcommittee on European Affairs was as follows:*

Senators Lugar (chairman), Mathias, Jr., Boschwitz and Pressler (Republicans).
Senators Biden, Jr., Sarbanes and Zorinsky (Democrats).

The subcommittee held the following hearings:
November 13, 1981—Assistant Secretary's recent trip to Europe.
January 27, 1982—Polish economy and Poland's international debt (printed).
September 22, 1982—U.S.-Soviet research studies (printed).

On December 14 and 15, 1982 the committee and the Congressional Research Service of the Library of Congress held a workshop on "Premises of East-West Commercial Relations." In addition, CRS prepared for the use of the committee a report entitled, "Crisis in the Atlantic Alliance: Origins and Implications." A report by the North Atlantic Assembly's Special Committee on Nuclear Weapons in Europe entitled "Interim Report on Nuclear Weapons in Europe" was printed for the use of the committee.

International Economic Policy

Members of the Subcommittee on International Economic Policy were:*

Senators Mathias, Jr. (chairman), Percy, Lugar and Kassebaum (Republicans).
Senators Dodd, Biden, Jr. and Sarbanes (Democrats).

The subcommittee held the following hearings:
February 25 and 27, 1981—U.S. stake in the global economy (printed).
April 28, 1981—U.S. competitiveness in international coal trade (printed).
May 1, 1981—Commemorating Save the Children Day (printed).
July 30, September 28 and October 28, 1981—U.S. policy toward international investment (printed).
September 16, 1981—East/West economic relations (printed).
March 3, 1982—Soviet-European gas pipeline (printed).
March 10, 1982—U.S.-Canadian economic relations (printed).
May 6, 1982—Save the Children Week, 1982 (printed).
June 23, 1982—Global trends in population and resources (printed).
July 30, 1982—U.S. export controls related to the Soviet gas pipeline (printed).
September 23, 1982—Third World debt.
September 27, 1982—World debt situation (printed).

The Congressional Research Service prepared for the subcommittee a report entitled, "Rapid Population Growth in Third World Countries: An Overview of Social and Economic Effects and Their Relationships to U.S. Multinational Corporations."

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Africa

Members of the Subcommittee on African Affairs were the following:*

Senators Kassebaum (chairman), Helms, Hayakawa and Mathias, Jr. (Republicans).

Senators Tsongas, Glenn and Dodd (Democrats).

Briefings and hearings held by the subcommittee were:

June 16, 1981—Deputy Secretary Clark's recent trip to South Africa, Namibia, and Zimbabwe.
July 8, 1981—Libya's role in sub-Saharan Africa and the Near East (with the Near East Subcommittee) (printed).
October 30, 1981—Informal briefing on proposed assistance to Egypt and Sudan (with the Near East Subcommittee) (no transcript).
November 25, 1981—Assistant Secretary's recent trip to Africa.
June 21, 1982—Recent developments in South Africa.
August 6, 1981—Food production in Africa (printed).

Middle East and South Asia

The Subcommittee on Near Eastern and South Asian Affairs included the following:*

Senators Boschwitz (chairman), Baker, Jr., Helms, and Pressler (Republicans).

Senators Sarbanes, Glenn and Cranston (Democrats).

Hearings and informal briefings held by the subcommittee were:

February 2, 1981—Informal briefing with former Senator Javits on his recent trip to Israel (no transcript).
March 19 and 26, 1981—Informal briefing on the Middle East (no transcript).
April 30, 1981—Informal briefing on Iraq and Lebanon (no transcript).
June 26, 1981—Nuclear cooperation with Egypt.
July 8, 1981—Libya's role in sub-Saharan Africa and the Near East (with the Africa Subcommittee) (printed).
October 30, 1981—Informal briefing on proposed assistance to Egypt and Sudan (with Africa Subcommittee) (no transcript).
March 15, 1982—Informal briefing on recent Mideast talks (no transcript).
March 17, 1982—Iraq, Syria and South Yemen with relationship to international terrorism.
March 18, 1982—Imposition of controls on exports to Iraq, South Africa, Syria and South Yemen (printed).
March 18, 1982—Informal briefing on recent Mideast talks.

Arms Control, Oceans, International Operations and Environment

The following were members of the Subcommittee on Arms Control, Oceans, International Operations and Environment:*

Senators Pressler (chairman), Percy and Baker, Jr. (Republicans).

Senators Cranston and Zorinsky (Democrats).

Hearings held by the subcommittee were as follows:

March 5, June 4, and September 30, 1981—Law of the Sea negotiations (printed).
November 10, 1981—"Yellow Rain" and other forms of chemical and biological warfare in Asia (printed).
January 20, 24 and 25, 1982—Future of arms control (printed).
February 10, 1982—Acid rain and current negotiations with Canada (printed).
March 16 and 31, 1982—U.S. and Soviet civil defense program (printed).

September 15, 1982—Law of the Sea negotiations (printed).
September 20, 1982—Militarization of space and arms control (printed).

The Congressional Research Service submitted the following reports to assist the committee in its consideration of international operations: "The Ambassador in U.S. Foreign Policy: Changing Patterns in Roles, Selection, and Designation" and "The Senate Role in Foreign Affairs Appointments." In addition, CRS prepared for the use of the subcommittee a report, "Analysis of Six Issues about Nuclear Capabilities in India, Iraq, Libya, and Pakistan."

Interparliamentary and Delegation Activities

The Congress, by law, participates in various interparliamentary groups to exchange views and information on mutual problems and concerns. The following are conferences on which written reports were submitted by Senate delegations:

Ad Hoc Meeting of the Canada-United States Interparliamentary Group to Discuss International Wheat Marketing July 26, 1980. A report by Senate delegation. (January 1981)
Twentieth Mexico-United States Interparliamentary Group Report of the Senate delegation. (March 1981)
United States Presidential Delegation to the Inauguration of the President of the Republic of Korea. Report by Senator Percy and Senator Hayakawa. (June 1981)
Interparliamentary Union Conference, Spring meeting held in Manila, Apr. 20–25, 1981. (September 1981)
Twenty-Second Meeting of the Canada-United States Interparliamentary Group, May 22–26, 1981. (November 1981)
Interparliamentary Union Conference. 68th Conference held in Havana, Sept. 13–24, 1981. (April 1982)
Twenty-First Mexico-United States Interparliamentary Conference, Manzanillo, Colima, Mexico, June 12–13, 1981. (May 1982)
Twenty-Third Meeting of the Canada-United States Interparliamentary Group, Mar. 4–8, 1982. (July 1982)
Report of the U.S. Official Observer Mission to the El Salvador Constituent Assembly Elections of March 28, 1982. Report by Senator Kassebaum. (November 1982)

Individual Studies by Committee Members and Staff

The following is a list of study missions abroad which resulted in printed reports:

Some Thoughts on the Situation in Northern Ireland. Report by Senator Pell. (July 1981)
The Proposed AWACS/F–15 Enhancement Sale of Saudi Arabia. A staff report. (September 1981)
Poland: Its Renewal and a U.S. Strategy. A staff report. (October 30, 1981)
El Salvador: The United States in the Midst of a Maelstrom. Report by Senators Pell and Leahy. (March 1982)
United States Relations with ASEAN (Thailand, Indonesia, Malaysia, Singapore, and the Philippines), Hong Kong and Laos. Report by Senator Hayakawa (March 1982)
United States-Indian Relations. A staff report. (March 1982)
NATO Today: The Alliance in Evolution. A staff report. (April 1982)
Liberia and Ghana—Policy Challenges in West Africa. A staff report. (June 1982)
Zaire. A staff report. (July 1982)
The Madrid Meeting of the Conference on Security and Cooperation in Europe. A staff report. (July 1982)
Lebanon and the Prospects for Peace in the Middle East. Report by Senator Pell. (July 1982)
The Middle East. Report by Senator Percy. (August 1982)

APPENDIX

COMMITTEE PUBLICATIONS

Document No. and Date Filed	Title of Publications
EXECUTIVE REPORTS	
Ex. Rept. 97–4 Feb. 13, 1981	Nomination of William P. Clark (with minority and additional views).
Ex. Rept. 97–5 (Ex. U, 96–1) Apr. 1, 1981.	Maritime Boundary Settlement Treaty with Canada.
Ex. Rept. 97–6 Apr. 7, 1981	Nomination of Thomas Pauken (views of the majority with additional views).
Ex. Rept. 97–7 May 4, 1981	Nomination of Myer Rashish (with additional views).
Ex. Rept. 97–8 May 4, 1981	Nomination of Chester A. Crocker (with additional views).
Ex. Rept. 97–9 May 11, 1981	Nomination of James L. Malone (with minority views).
Ex. Rept. 97–10 May 11, 1981	Nomination of John H. Holdridge (views of the majority with additional views).
Ex. Rept. 97–11 May 15, 1981	Supplemental material for nomination of James L. Malone.
Ex. Rept. 97–12 (Ex. S, 96–2) May 20, 1981.	1980 Protocol Amending Interim Convention on Conservation of North Pacific Fur Seals (with additional views).
Ex. Rept. 97–13 (S. Ex. Res. 1) June 11, 1981.	Withdrawal of United States-Canadian Fishery Agreement.
Ex. Rept. 97–14 (Treaty Doc. 97–3) June 17, 1981.	Consular Convention with the People's Republic of China.
Ex. Rept. 97–15 (Treaty Doc. 97–13) July 15, 1981.	Treaty with Canada on Pacific Coast Albacore Tuna Vessels and Port Privileges.
Ex. Rept. 97–16 (Ex. A, 93–1) July 23, 1981.	Treaty with Colombia Concerning the Status of Quita Sueno, Roncador and Serrana.
Ex. Rept. 97–17 (Ex. N, 96–2) July 23, 1981.	International Convention against the Taking of Hostages.
Ex. Rept. 97–18 (Ex. H, 96–2) July 23, 1981.	Convention on the Physical Protection of Nuclear Material.
Ex. Rept. 97–19 (Ex. M, 95–1) July 23, 1981.	Revised Customs Convention on the International Transport of Goods under Cover of TIR Carnets.
Ex. Rept. 97–20 (Ex. K, 96–2) July 23, 1981.	Amendments to the Inter-Governmental Maritime Consultative Organization Convention.
Ex. Rept. 97–21 Sept. 16, 1981.	Nomination of Jose Manuel Casanova (with minority and additional views).
Ex. Rept. 97–23 (Ex. I, 95–2) Oct. 19, 1981.	Additional Protocol I to the Treaty for the Prohibition of Nuclear Weapons in Latin America (The Treaty of Tlatelolco).
Ex. Rept. 97–24 (Treaty Doc. 97–20) Nov. 9, 1981.	Agreement Extending for Eight Months Provisions of the Treaty of Friendship and Cooperation with Spain.
Ex. Rept. 97–25 (S. Ex. Res. 2) Nov. 10, 1981.	Return of Various Tax Treaties.

Document No. and Date Filed	Title of Publications
	EXECUTIVE REPORTS—continued
Ex. Rept. 97–26 (Ex. Y, 96–2) Nov. 10, 1981.	Tax Convention with the People's Republic of Bangladesh.
Ex. Rept. 97–27 (Ex. U, 96–2) Nov. 10, 1981.	Tax Convention with the Arab Republic of Egypt.
Ex. Rept. 97–28 (Treaty Doc. 97–1) Nov. 10, 1981.	Estate and Gift Tax Treaty with the Federal Republic of Germany.
Ex. Rept. 97–29 (Ex. C, 94–2 and Ex. M, 96–2) Nov. 10, 1981.	Tax Convention (and Proposed Protocol) with the State of Israel.
Ex. Rept. 97–30 (Ex. E, 96–2) Nov. 10, 1981.	Tax Convention with the Republic of Malta.
Ex. Rept. 97–31 (Ex. H, 95–2) Nov. 10, 1981.	Tax Convention with the Kingdom of Morocco.
Ex. Rept. 97–32 (Ex. Z, 96–2) Nov. 10, 1981.	Protocol to the Tax Convention with the Kingdom of Norway.
Ex. Rept. 97–33 (Treaty Doc. 97–7) Nov. 20, 1981.	Extradition Treaty with the Kingdom of the Netherlands.
Ex. Rept. 97–34 (Treaty Doc. 97–8) Nov. 20, 1981.	Extradition Treaty with the Republic of Colombia.
Ex. Rept. 97–35 (Treaty Doc. 97–11) Nov. 20, 1981.	Mutual Legal Assistance Treaty with the Republic of Colombia.
Ex. Rept. 97–36 (Treaty Doc. 97–16) Nov. 20, 1981.	Treaty on Mutual Legal Assistance with the Kingdom of the Netherlands.
Ex. Rept. 97–37 (Ex. L, 96–2) Nov. 30, 1981.	Reciprocal Fisheries Agreement with the United Kingdom of Great Britain and Northern Ireland, 1979.
Ex. Rept. 97–38 (Ex. X, 96–2) Nov. 30, 1981.	Convention on the Conservation of Antarctic Marine Living Resources.
Ex. Rept. 97–39 (Ex. C, 95–1) Dec. 4, 1981.	Tax Convention with the Republic of the Philippines.
Ex. Rept. 97–40 (Ex. O, 96–2 and Treaty Doc. 97–17) Dec. 9, 1981.	Tax Convention (and Proposed Protocol) with the Government of Jamaica.
Ex. Rept. 97–41 (Ex. N, 96–1; Ex. O, 96–1; and Treaty Doc. 97–4) Dec. 9, 1981.	Three Aviation Protocols.
Ex. Rept. 97–42 (Treaty Doc. 97–9) Dec. 10, 1981.	Protocols to the Wheat Agreement.
Ex. Rept. 97–43 (S. Ex. Res. 4) Dec. 10, 1981.	Return of Two Tax Treaties.
Ex. Rept. 97–44 (Treaty Doc. 97–10) Dec. 15, 1981.	Tax Convention and Protocol with the Argentine Republic.
Ex. Rept. 97–45 (Ex. B, 95–1) Dec. 16, 1981.	Montreal Aviation Protocols Nos. 3 and 4.
Ex. Rept. 97–46, Feb. 9, 1982	Nomination of James D. Theberge (with additional views).
Ex. Rept. 97–47 (Ex. W, 96–1) Feb. 11, 1982.	Treaty of Friendship with Tuvalu.
Ex. Rept. 97–48 (Ex. A, 96–2) Feb. 11, 1982.	Treaty of Friendship with the Republic of Kiribati.
Ex. Rept. 97–49 (Ex. P, 96–2) Feb. 11, 1982.	Treaty with the Cook Islands on Friendship and Delimitation of the Maritime Boundary.
Ex. Rept. 97–50 (Treaty Doc. 97–5) Feb. 11, 1982.	Treaty with New Zealand on the Delimitation of the Maritime Boundary between the United States and Tokelau.
Ex. Rept. 97–51 (Treaty Doc. 97–22) Mar. 9, 1982.	Protocol to the North Atlantic Treaty on the Accession of Spain.
Ex. Rept. 97–52, Mar. 15, 1982	Nomination of Max L. Friedersdorf (with minority views).
Ex. Rept. 97–53 (Treaty Doc. 97–2) May 21, 1982.	Nairobi Protocol on the Importation of Educational, Scientific, and Cultural Materials.

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EXECUTIVE REPORTS—continued

Ex. Rept. 97–55 (Treaty Doc. 97–18) July 1, 1982.	Convention with Mexico for the Recovery and Return of Stolen or Embezzled Vehicles and Aircraft.
Ex. Rept. 97–57 (Ex. N, 92–2) Aug. 13, 1982.	Convention on Tonnage Measurements of Ships, 1969.
Ex. Rept. 97–58 (Treaty Doc. 97–25) Aug. 13, 1982.	Conservation of Salmon in North Atlantic Ocean.
Ex. Rept. 97–59 (Treaty Doc. 97–19) Sept. 13, 1982.	Constitution of the United Nations Industrial Development Organization.
Ex. Rept. 97–60 (Treaty Doc. 97–26) Sept. 24, 1982.	Estate and Gift Tax Treaty with the Republic of Austria.
Ex. Rept. 97–61 (Treaty Doc. 97–21) Sept. 28, 1982.	Treaty on International Radio Frequencies (WARC–79).
Ex. Rept. 97–62, Sept. 29, 1982.	Nomination of Jay F. Morris (with minority views).
Ex. Rept. 97–63, Sept. 30, 1982.	Nomination of Richard R. Burt (with additional views).
Ex. Rept. 97–64, Sept. 30, 1982.	Nomination of Richard T. McCormack.

SENATE REPORTS

S. Rept. 97–4 (S. Res. 39) Jan. 27, 1981.	Authorizing Additional Expenditures by the Committee on Foreign Relations for Inquiries and Investigations.
S. Rept. 97–29 Mar. 26, 1981.	Legislative Activities Report of the Committee on Foreign Relations, 96th Congress.
S. Rept. 97–36 (S. 786) Apr. 2, 1981.	U.S. Participation in the International Development Association and the African Development Bank.
S. Rept. 97–71 (S. 1193) May 15, 1981.	Foreign Relations Authorization Act, Fiscal Years 1982 and 1983.
S. Rept. 97–76 (S. 1195) May 15, 1981.	U.S. Participation in the International Bank for Reconstruction and Development, the Inter-American Development Bank and the Asian Development Fund.
S. Rept. 97–83 (S. 1196) May 15, 1981.	International Security and Development Cooperation Act of 1981.
S. Rept. 97–84 (S. 1015) May 15, 1981.	Separation of the Peace Corps from the ACTION Agency.
S. Rept. 97–169 (S.J. Res. 65) July 27, 1981.	Honorary Citizenship for Raoul Wallenberg (with supplemental views). Joint report with Judiciary Committee.
S. Rept. 97–197 (S.J. Res. 100) Sept. 30, 1981.	Multinational Force and Observers for Sinai.
S. Rept. 97–211 (S. 754) Oct. 19, 1981.	Czechoslovakian Claims Settlement Act.
S. Rept. 97–249 (S. Con. Res. 37) Oct. 23, 1981.	Disapproving the Proposed Sales to Saudi Arabia of E–3A Airborne Warning and Control System (AWACS) Aircraft, Conformal Fuel Tanks for F–15 Aircraft, AIM–9L Sidewinder Missiles, and Boeing 707 Aerial Refueling Aircraft (with Minority views).
S. Rept. 97–276 (S. Con. Res. 48) Nov. 19, 1981.	Consideration of Resolution of Disapproval of the Sale to Pakistan of 40 F–16 Aircraft.
S. Rept. 97–281 (S. 1611) Nov. 30, 1981.	Amendments to the International Center Act (with minority views).
S. Rept. 97–283 (S. 854) Nov. 30, 1981.	Foreign Missions Act of 1982 (with minority views).
S. Rept. 97–310 (S. Res. 295) Jan. 28, 1982.	Authorizing Expenditures by the Committee on Foreign Relations.

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	SENATE REPORTS
S. Rept. 97–328 (S. Con. Res. 68) Apr. 1, 1982.	Regarding Membership in the United Nations General Assembly.
S. Rept. 97–391 (S. 2398) May 12, 1982.	African Development Fund.
S. Rept. 97–429 (S. 2581) May 26, 1982.	International Communication Agency Authorization Act, Fiscal Year 1983.
S. Rept. 97–430 (H.R. 3467) May 26, 1982.	Arms Control and Disarmament Amendments Act of 1982.
S. Rept. 97–464 (S. 2608) May 28, 1982.	International Security Enhancement Act of 1982.
S. Rept. 97–470 (S.J. Res. 158) June 9, 1982.	U.S. Policy in the Western Hemisphere (with minority views).
S. Rept. 97–475 (S. 1940) June 17, 1982.	Extradition Act of 1981.
S. Rept. 97–493 (S.J. Res. 212) July 12, 1982.	Nuclear Arms Reductions (with minority and additional views).
S. Rept. 97–500 (S.J. Res. 208) July 19, 1982.	Presidential Certifications on El Salvador.
S. Rept. 97–500, Part II, July 20, 1982.	Additional views on Presidential Certifications on El Salvador.
S. Rept. 97–525 (H.R. 6409) Aug. 13, 1982.	International Expositions.
S. Rept. 97–526 (S. 2675) Aug. 17, 1982.	Foreign Consular Protection Act.
S. Rept. 97–541 (S. 2899) Sept. 10, 1982.	Caribbean-Central American Economic Revitalization Act of 1982.
S. Rept. 97–544 (H.R. 5427) Sept. 15, 1982.	Radio Broadcasting to Cuba Act (with minority views).
S. Rept. 97–586 (H.R. 6758) Sept. 24, 1982.	Sale of Government-Furnished Equipment.
S. Rept. 97–588 (S. Res. 480) Sept. 27, 1982.	Waiver under section 402(a) of the Congressional Budget Act with Respect to Consideration of H.R. 5427 (with minority views).
S. Rept. 97–685 (S. 3107) Dec. 16, 1982.	BIB Supplemental Authorization Act, Fiscal Year 1983.
	HEARINGS
May 8, 1980	The Situation in Iran (sanitized and printed Feb. 18, 1981).
Sept. 16, 1980	Nuclear War Strategy (sanitized and printed Feb. 18, 1981).
Jan. 9, 10, 12, 13, 14, 15, 1981	Nomination of Alexander M. Haig, Jr. (parts 1 and 2).
Jan. 15, 1981	Nomination of Jeane J. Kirkpatrick.
Feb. 2 and 3, 1981	Nomination of Justice William Patrick Clark.
Feb. 17, 18 and Mar. 4, 1981	The Iran Agreements.
Feb. 25 and 27, 1981	The U.S. Stake in the Global Economy (Subcommittee on International Economic Policy).
Mar. 5, 1981	Law of the Sea Negotiations. (Subcommittee on Arms Control, Oceans, International Operations and Environment).
Mar. 16 and Apr. 2, 1981	Nomination of James L. Malone.
Mar. 18, 1981	The Maritime Boundary Treaty with Canada.
Mar. 18 and Apr. 9, 1981	Situation in El Salvador.
Mar. 19, 24, 26, Apr. 3, 10, 22 and May 4, 1981.	Foreign Assistance Authorization for Fiscal Year 1982.
Mar. 20, 1981	North Pacific Fur Seals.
Mar. 25, 1981	IDA VI Replenishment and the African Development Bank.
Mar. 25 and Apr. 1, 1981	Nomination of Thomas W. Pauken.
Mar. 27 and Apr. 8, 1981	Foreign Relations Authorization Act.

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	HEARINGS—continued
Mar. 31, 1981	Fiscal Year 1982 Security Assistance Authorization.
Apr. 1, 1981	Fiscal Year 1982 Economic Assistance.
Apr. 21, 1981	U.S. Contribution to Multilateral Development Banks and International Organizations.
Apr. 21 and June 10, 1981	Nomination of Myer Rashish.
Apr. 28, 1981	International Coal Trade (Subcommittee on International Economic Policy).
Apr. 29, 1981	Peace Corps Authorization.
Apr. 30, 1981	Overseas Private Investment Corporation.
May 1. 1981	Save the Children Day (Subcommittee on International Economic Policy).
May 18, 19, June 4 and 5, 1981	Nomination of Ernest W. Lefever.
June 4 and Sept. 30, 1981	Law of the Sea Negotiations (Subcommittee on Arms Control, Oceans, International Operations and Environment).
June 9, 1981	Consular Convention with the People's Republic of China (Subcommittee on East Asian and Pacific Affairs).
June 10, 1981	International Terrorism.
June 18, 19 and 25, 1981	The Israeli Air Strike.
June 22 and 23, 1981	Nomination of Eugene V. Rostow.
July 8, 1981	Libyan Activities (Subcommittees on African Affairs and on Near Eastern and South Asian Affairs).
July 9 and 10, 1981	Nomination of Edward L. Rowny.
July 15, 21 and 22, 1981	U.S. Policy in Southeast Asia (Subcommittee on East Asian and Pacific Affairs).
July 20, 1981	Sinai Agreement.
July 24, 1981	The Foreign Missions Act of 1982.
July 27, 1981	International Security Policy.
July 28, 1981	Conventional Arms Sales.
July 30, Sept. 28 and Oct. 28, 1981.	U.S. Policy Toward International Investment.
Sept. 16, 1981	East/West Economic Relations.
Sept. 17, 1981	Persian Gulf Situation.
Sept. 22, 1981	Prohibition of Nuclear Weapons in Latin America.
Sept. 24, 1981	Tax Treaties.
Sept. 29, 1981	Civil Aviation Protocols.
Oct. 1, 5 and 6, 1981	Arms Sales Package to Saudi Arabia (part 1).
Oct. 14 and 15, 1981	Arms Sales Package to Saudi Arabia (part 2).
Oct. 20, 1981	Nairobi Protocol to the Florence Agreement.
Nov. 3, 4 and 9, 1981	Strategic Weapons Proposals (part 1).
Nov. 10, 1981	"Yellow Rain."
Nov. 12 and 17, 1981	Aid and the Proposed Arms Sales of F–16's to Pakistan.
Nov. 13, 1981	Strategic Weapons Proposals (part 2).
Nov. 17, 1981	Nomination of Elliott Abrams.
Nov. 24, 1981	International Wheat Agreement.
Dec. 1, 1981	Pacific Islands Treaties.
Dec. 2, 1981	IAEA Program Safeguards.
Dec. 3, 1981	The Genocide Convention.
Dec. 14 and 15, 1981	Central America.
Jan. 20, 21, and 25, 1982	The Future of Arms Control. (Subcommittee on Arms Control, Oceans, International Operations and Environment.)
Jan. 27, 1982	The Polish Economy. (Subcommittee on European Affairs.)
Feb. 2, 1982	East-West Relations.
Feb. 5, 1982	Proposed Sale of F–16's to Venezuela.

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	HEARINGS—continued
Feb. 8, and Mar. 11, 1982	Certification Concerning Military Aid to El Salvador.
Feb. 10, 1982	Acid Rain (Subcommittee on Arms Control, Oceans, International Operations and Environment).
Feb. 25 and Mar. 1, 1982	Human Rights in Nicaragua (Subcommittee on Western Hemisphere Affairs).
March 1982	Executive Sessions of the Senate Foreign Relations Committee (Historical Series), Volume XI, 86th Congress, 1st Session 1959.
Mar. 3, 1982	Soviet-European Gas Pipeline. (Subcommittee on International Economic Policy.)
Mar. 8, 1982	Situation in Afghanistan.
Mar. 10, 1982	U.S. Economic Relations with Canada. (Subcommittee on International Economic Policy.)
Mar. 16 and 31, 1982	United States and Soviet Civil Defense Programs. (Subcommittee on Arms Control, Oceans, International Operations and Environment.)
Mar. 17, 1982	St. Lawrence Seaway Development Corporation.
Mar. 18, 1982	Regulation Changes on Exports. (Subcommittee on Near Eastern and South Asian Affairs.)
Mar. 24, 1982	Nomination of Paul H. Nitze.
Mar. 25 and 31, 1982	Caribbean Basin Initiative.
Apr. 1, 20, 27, 28, May 4 and 26, 1982.	U.S. Policy in the Western Hemisphere.
Apr. 14, 15, 16 and 26, 1982	Fiscal Year 1983 Security Assistance.
Apr. 28, 1982	To amend the Foreign Service Act of 1980.
Apr. 29, 30, May 11, 12 and 13, 1982.	Nuclear Arms Reduction Proposals.
May 6, 1982	Southeast Asian Drug Trade. (Subcommittee on East Asian and Pacific Affairs.)
May 6, 1982	Save The Children Week–1982. (Subcommittee on International Economic Policy.)
May 18, 1982	WARC–79: Radio Regulations and Final Protocol.
June 8, 10, 18 and July 15, 1982.	U.S. Policies and Programs in Southeast Asia. (Subcommittee on East Asian and Pacific Affairs.)
June 10 and 16, 1982	East-West Relations: Focus on the Pacific.
June 11, 1982	Convention Between the United States and United Mexican States.
June 23, 1982	Global Trends in Population and Resources. (Subcommittee on International Economic Policy.)
July 13 and 14, 1982	Nomination of George P. Shultz.
July 15, 1982	The Situation in the Middle East.
July 30, Aug. 12 and 13, 1982	Economic Relations with the Soviet Union (Subcommittee on International Economic Policy and full Committee).
Aug. 3, 1982	Presidential Certifications on Conditions in El Salvador.
Aug. 6, 1982	Food Production in Africa: The International Challenge (Subcommittee on African Affairs).
Aug. 17, 1982	U.S. Policy toward China and Taiwan.
Sept. 10, 1982	An Overview on the Mideast Situation.
Sept. 15, 1982	Law of the Sea Negotiations (Subcommittee on Arms Control, Oceans, International Operations, and Environment).
Sept. 20, 1982	Arms Control and the Militarization of Space (Subcommittee on Arms Control, Oceans, International Operations and Environment).

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	HEARINGS—continued
Sept. 22, 1982	United States-Soviet Research Studies (Subcommittee on European Affairs).
Sept. 27, 1982	World Debt Situation (Subcommittee on International Economic Policy).
November 1982	Executive Sessions of the Senate Foreign Relations Committee (Historical Series) Volume XII, 86th Congress, 2d Session 1960.
Nov. 30, 1982	NATO Troop Withdrawal.
Dec. 10, 1982	Micronesian Status Negotiations (Subcommittee on East Asian and Pacific Affairs).
Dec. 14, 1982	U.S. Strategic Doctrine.
	COMMITTEE PRINTS
January 1981	Ad Hoc Meeting of the Canada-United States Interparlimentary Group to Discuss International Wheat Marketing July 26, 1980. A report by Senate delegation.
January 1981	Legislation on Foreign Relations Through 1980, Vol. I (Joint Committee Print).
February 1981	Fiscal Year 1982 Arms Control Impact Statements (Joint Committee Print).
Feb. 2, 1981	Country Reports on Human Rights Practices (Joint Committee Print).
February 1981	Supplement to Country Reports on Human Rights Practices (Iran) (Joint Committee Print).
February 1981	Legislation on Foreign Relations Through 1980, Vol. II (Joint Committee Print).
February 1981	Legislation on Foreign Relations Through 1980, Vol. III (Joint Committee Print).
March 1981	Rules of the Committee on Foreign Relations.
March 1981	Twentieth Mexico-United States Interparlimentary Group Report of the Senate Delegation (May 5–7, 1980).
Apr. 8, 1981	U.S. Arms Control and Disarmament Agency 1980 Annual Report (Joint Committee Print).
May 1981	Membership and Jurisdiction of Subcommittees.
June 1981	United States Presidential Delegation to the Inauguration of the President of the Republic of Korea. Report by Senator Percy and Senator Hayakawa.
July 1981	Some Thoughts on the Situation in Northern Ireland. Report by Senator Pell.
July 1981	The Ambassador in U.S. Foreign Policy: Changing Patterns in Roles, Selection, and Designations. Prepared by Congressional Research Service.
September 1981	Interparliamentary Union Conference. Spring meeting held in Manila, Apr. 20–25, 1981.
September 1981	The Proposed AWACS/F–15 Enhancement Sale to Saudi Arabia. A staff report.
Oct. 30, 1981	Poland: Its Renewal and a U.S. Strategy. A staff report.
November 1981	Twenty-second Meeting of the Canada-United States Interparliamentary Group, May 22–26, 1981.
December 1981	Interim Report on Nuclear Weapons in Europe. (Prepared by North Atlantic Assembly's Special Committee on Nuclear Weapons in Europe.)

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	Committee Prints—Continued
January 1982	Analysis of Six Issues about Nuclear Capabilities of India, Iraq, Libya, and Pakistan. Prepared by Congressional Research Service.
January 1982	The Implications of United States-China Military Cooperation. Workshop with the Committee on Congressional Research Service.
February 1982	Country Reports on Human Rights Practices for 1981 (Joint Committee Print). Errata sheet published March 1982.
March 1982	El Salvador: The United States in the Midst of a Maelstrom. Report by Senators Pell and Leahy (Joint Committee Print).
March 1982	United States Relations with ASEAN (Thailand, Indonesia. Malaysia, Singapore and the Philippines), Hong Kong and Laos. Report by Senator Hayakawa.
March 1982	Fiscal Year 1983 Arms Control Impact Statements (Joint Committee Print).
March 1982	United States-Indian Relations. A staff report.
March 1982	Legislation on Foreign Relations Through 1981, Vol. II (Joint Committee Print).
March 1982	Legislation on Foreign Relations Through 1981, Vol. I (Joint Committee Print).
March 1982	Crisis in the Atlantic Alliance: Origins and Implications. Prepared by Congressional Research Service.
April 1982	Interparliamentary Union Conference. 68th Conference held in Havana. Sept. 13–24, 1981.
April 1982	Rapid Population Growth in Third World Countries: An Overview of Social and Economic Effects and Their Relationships to U.S. Multinational Corporations. Prepared by Congressional Research Service.
April 1982	Vietnam's Future Policies and Role in Southeast Asia. Prepared by Congressional Research Service.
April 1982	NATO Today: The Alliance in Evolution. A staff report. (Also S. Doc. 97–31)
April 1982	United States-China Economic Relations: A Reappraisal. Workshop with the Committee and Congressional Research Service.
May 1982	Twenty-first Mexico-United States Interparliamentary Conference, Manzanillo, Colima, Mexico, June 12–13, 1981 (Joint Committee Print).
June 1982	Liberia and Ghana—Policy Challenges in West Africa. A staff report.
June 9, 1982	Background Information on the Committee on Foreign Relations. (5th Edition) (S. Doc. 97–30)
July 1982	Twenty-Third Meeting of the Canada-United States Interparliamentary Group, Mar. 4–8, 1982.
July 1982	Zaire. A staff report.
July 1982	The Madrid Meeting of the Conference on Security and Cooperation in Europe. A staff report.
July 1982	The Senate Role in Foreign Affairs Appointments. Prepared by the Foreign Affairs and National Defense Division, Congressional Research Service.

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Committee Prints—Continued

July 1982	Lebanon and the Prospects for Peace in the Middle East. Report by Senator Pell.
August 1982	The Middle East. Report by Senator Percy.
September 1982	The General Advisory Committee on Arms Control and Disarmament—An Appraisal and Proposals for Change. Prepared by the Congressional Research Service.
September 1982	Africa Revisited. Report by Senator Hayakawa.
September 1982	U.S. Minerals Dependence on South Africa. A staff report.
Oct. 15, 1982	U.S. Arms Control and Disarmament Agency 1981 Annual Report (Joint Committee Print).
November 1982	Report of the U.S. Official Observer Mission to the El Salvador Constituent Assembly Elections of Mar. 28, 1982. Report by Senator Kassebaum.
December 1982	The Situation in Honduras. A staff report.

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